

ton, the Boston Yacht Club, and the Bald Park Colony Club of Melvin Village, N.H.

This record of service to church, State, and business organizations will stand, without a doubt, as his most enduring memorial.

Both myself, and my wife Corrine extend all our sympathies to his bereaved wife Helen and his mother, sister, and sons. May his many accomplishments comfort them in this time of loss.

PRESIDENTIAL AMBITION

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. RIEGLE. Mr. Speaker, I would like to insert in the Record the following illuminating article from the November 30, 1973, edition of the New Times magazine. This article is written by John D. Lofton about one of our colleagues, JOHN ASHBROOK, and I insert it for the interest of those who read the Record:

PRESIDENTIAL AMBITION

(By John D. Lofton Jr.)

At the 1968 Republican Convention, conservative Congressman John M. Ashbrook was one of two dissenters who rejected Governor John Rhodes' demand that the Ohio delegation unanimously support the Presidential ambitions of Nelson Rockefeller. Ashbrook did so in order to vote for Richard Nixon. In 1972, Ashbrook himself ran for President in the Republican primaries. He did so because he felt Richard Nixon had broken his 1968 campaign promises, had reversed himself on welfare, national defense, federal spending, China and trade with Communist countries.

Now, in November of 1973 on a cold, gloomy, rainy morning, the former Young Republican National Chairman and co-founder of the American Conservative Union sits in his Washington, D.C. office and says that if President Nixon were to ask him what do do, he would tell the President he ought to call it quits. "I don't think there is any way he can regain his credibility," Ashbrook says. "I suppose if he were to ask me personally, I would say he ought to resign. I have not urged this publicly because of the chorus of jackals that I see throughout the

country urging impeachment and resignation."

In politics, Ashbrook goes on, "You don't mind what the opposition says, you don't mind if they call you an S.O.B., you don't mind if they say various things. But if they start laughing at you or think you're crazy or a joke, at that point you're in trouble and never regain your credibility." Ashbrook believes the President has now reached that point.

"The most loyal, knee-jerk Republican in the Congress at this point is reluctant to defend the President," Ashbrook says. "Some of his best friends and most loyal supporters feel as if they've been led down the garden path. For example, we were told categorically he would not give up the tapes and he has given them up. Some of the Republican leaders, my friends in the House, were told by the White House to go out and say things about Ohio Senator William Saxbe last December when Saxbe said the President had taken leave of his senses in resuming the bombing of North Vietnam. Now, the President appoints Saxbe Attorney General.

"So, what is happening is just a continual litany of mistakes by the President. And when I say this I'm not speaking for the 200 million people in the country, but for his circle of friends, his supporters, and the people that carry the burdens of his Presidency, his programs and those trying to sell them to the public. There is no enthusiasm now. He can't be sold in the Congress or on the hustings back home."

Ashbrook is carefully choosing his words. His voice is calm and measured as he says that privately many of his conservative colleagues in the House believe the President has taken leave of his senses. "You take October, for example. We used to sit around and say not much more can happen. Well, as it turned out, we were wrong. We kept saying that the other shoe had to drop soon. But we now find out the President is a centipede. There's a shoe a week. He's dropped more shoes than he has feet."

Ashbrook is 45 years old and serving his sixth term in the House. And for the first time, he says, he is getting mail critical of the President from Republicans back home. "I know my constituency well. I recognize when the League of Women Voters and the college professors and their wives write on the bombing of Hanoi and so forth. My mail is not coming from them now. It's coming from Republicans. This is the first time I've gotten mail like this, mail from Republican committeemen and finance people. I think it's just a sense of frustration that enough is enough is enough and I've had enough of enough. They are fed up with the President, fed up and tired of what they call 'this whole mess.'"

On the subject of relations between the White House and the Republican party, Ashbrook says the greatest joke in Congressional cloak rooms is the line put out by the White House three or four months ago that things would be better with Haldeman and Ehrlichman gone, and former Representative Melvin Laird and Bryce Harlow replacing them.

"It's no more open now than it ever was for Congressional Republicans," Ashbrook says. "There's probably less political input than there ever was, there are probably more mistakes made than ever before."

"If, during the very critical years, 1969 to 1972, three or four conservative leaders had joined me in criticizing the President's isolation, his palace guards—Ehrlichman and Haldeman—I think we'd be in a little better position now. Of course, the Republican party showed no leadership and went along with the President regardless of the price."

John Ashbrook does not think President Nixon could resign until Gerald Ford is confirmed as Vice President. When asked what kind of President he thinks Ford would make, Ashbrook replies, simply: "A better one."

THOMAS M. PELLY

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 29, 1973

Mr. PICKLE. Mr. Speaker, sadness at the loss of one of our colleagues is heightened when the Member was a man of the integrity and personableness of Thomas M. Pelly.

Although I never had the opportunity to serve in committee with Tom Pelly, I had gotten to know him in countless discussions and conversations in the House.

To me he was a man you could trust, a man who commanded esteem, a man ready to be a friend.

The high respect he held in this Chamber was well deserved. He formed his views carefully and argued for them ably and effectively. He was always square with his colleagues.

Service and country were foremost on his list of priorities. To me Tom Pelly was a patriot of the first order, and I am sorry to see this Nation lose him.

SENATE—Sunday, December 2, 1973

The Senate met at 10 a.m. and was called to order by Hon. FRANK E. MOSS, a Senator from the State of Utah.

PRAYER

The Honorable WALLACE F. BENNETT, a Senator from the State of Utah, offered the following prayer:

Our Father in Heaven, as we come together on this unusual and historic occasion, we ask Thy forgiveness for intruding our affairs into what should be a day devoted to Thy praise and service.

But, in the spirit of the day, we ask that Thou wilt touch our minds and hearts so that we will approach the responsibilities we must carry out with an

appreciation of their spiritual values, with a realization of the effect that they may have upon our country, and with more concern for our country's welfare than our own.

We ask this in the name of Thy Son, Jesus Christ. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., December 2, 1973.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. FRANK E. MOSS, a Senator from the State of Utah, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. MOSS thereupon took the chair as Acting President pro tempore.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of November 27, 1973, Mr. JACK-

son, from the Committee on Interior and Insular Affairs, reported favorably, with amendments, on December 1, 1973, the bill (S. 1283) to establish a national program for research, development, and demonstration in fuels and energy and for the coordination and financial supplementation of Federal energy research and development; to establish development corporations to demonstrate technologies for shale oil development, coal gasification development, advanced power cycle development, geothermal steam development, and coal liquefaction development; to authorize and direct the Secretary of the Interior to make mineral resources of the public lands available for said development corporations; and for other purposes, and submitted a report (No. 93-589) thereon, which was printed.

ORDER FOR PRINTING TODAY'S PRAYER

Mr. FANNIN. Mr. President, in this historic session, I ask unanimous consent that the prayer offered in the Senate Chamber this morning by the distinguished Senator from Utah (Mr. BENNETT) be printed on parchment for availability for circulation.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Saturday, December 1, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DIVISION OF TIME ON CONSIDERATION OF CLOTURE MOTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time under the cloture period be divided equally between the Senator from Alabama (Mr. ALLEN) and the Senator from Louisiana (Mr. LONG), the manager of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUPPORT GROWS FOR PUBLIC FINANCING OF CAMPAIGNS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an article published in the National Observer for the week ending December 8, 1973, entitled "Paying for Politics—Support Grows for Public Financing," written by Mark R. Arnold, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the National Observer, December 1973]

PAYING FOR POLITICS—SUPPORT GROWS FOR PUBLIC FINANCING

(By Mark R. Arnold)

You may be paying for Nelson Rockefeller's bid for the Presidency in 1976. And George Wallace's, and Charles Percy's, and Shirley Chisholm's.

That's what public financing of Presiden-

tial campaigns means in its simplest terms. It also means—and this accounts for the frantic efforts in the Senate last week to enact public campaign-financing legislation—a giant step toward eliminating the influence of large campaign contributors on the political process.

Senate proponents regard public campaign financing as the only way to remove the political stains splattered by the Watergate affair on the mantle of all Federal officeholders. "Beyond any doubt," Massachusetts' Edward M. Kennedy argued to his colleagues, "the year-long revelations of Watergate demonstrate the insidious influence of private money in American politics. Most of the serious problems facing this country have their roots in the way we finance campaigns for high office."

Kennedy is one of nine senators from both parties who last week successfully rammed through the Senate a sweeping reform bill providing for public financing of Presidential and congressional campaigns, though not congressional primaries. They offered their measure as an amendment to a bill urgently sought by the White House—a bill to raise the Federal debt limit—and thus sought to make campaign reform veto-proof.

THREAT IN SAFE DISTRICTS

The strategy initially ran into trouble. The House balked at bypassing its own committee procedures to accommodate what its leaders consider the Senate's strong-arm pressure tactics. House members were particularly critical of the section covering House campaigns, which would guarantee that even members from politically safe districts would face well-financed opposition in future elections.

So Senate backers, after reaching agreement with House leaders on how much of the plan would be acceptable to them, stripped down the plan. They knocked out everything but the Presidential provisions, which make partial public financing of Presidential campaigns mandatory, beginning in 1976.

Opponents warned that President Nixon might veto the bill. The President wants Congress to set up a commission to study political fund raising. But the supporters of reform pressed on.

Two votes show the changing congressional sentiment toward public financing. On July 26 the Senate defeated public financing, 53 to 38. Last week it approved a similar proposal, 52 to 40.

WATERGATE TESTIMONY

The difference between the votes can largely be attributed to the recent testimony of a parade of corporation executives before the Senate Watergate committee. Seven companies and their executives have been found guilty of violating laws outlawing corporate contributions to political campaigns. Others are still being investigated.

The classic pattern of favor-seeking was described by Machiavelli in *The Prince*, in 1532, this way: "Those who wish to win favor with the prince offer him the things they most value and in which they see that he will take most pleasure."

But in the pattern outlined to the Watergate committee, the offers flowed in the opposite direction, and could even be described as threats.

Former American Airlines Chairman George A. Spater, the first businessman to disclose an illegal contribution, told a typical story. He was approached in July 1972 by Herbert Kalmbach, President Nixon's personal attorney, who also is counsel to United Air Lines, a major competitor of American.

The call came at a time when American was seeking Federal approval to merge with Western Airlines. Though there was apparently no discussion of the merger, Kalmbach suggested that a \$100,000 contribution

from Spater would put him in a "special class" of contributors, the executive testified. The corporation eventually produced \$56,000 in illegal funds for the Nixon reelection campaign. "I was motivated by a host of fears" that American might be "put at a competitive disadvantage" if it didn't oblige the fund raisers, Spater said. (The merger was subsequently disapproved nonetheless.)

The kind of contributions described by the executives is already illegal. But the Senate legislation would make it more unlikely to be solicited and easier to detect. It would, for example, put a \$3,000 ceiling on individual contributions to any Presidential candidate in the primaries. In addition, the legislation would provide:

Presidential primaries: Candidates collecting \$100,000 in contributions of \$100 or less would become eligible for matching Federal payments. Each contribution of \$100 or less by an individual would be matched equally from a special campaign fund created by taxpayer contributions as outlined below. There would be a \$15 million limit on each candidate's total spending in the primaries (half public, half private). The \$100,000 requirement is aimed at screening out "frivolous" candidates.

Presidential elections: Beginning in 1976, elections would be financed by a special fund fed by taxpayers who elect to check off \$1 on their income-tax returns for political purposes (\$2 on a joint return). Each major party candidate would be allowed to spend up to \$21 million for his campaign.

If not enough taxpayers contribute to the fund, each candidate could raise the difference between his share of the fund and his \$21 million entitlement by soliciting private contributions, but no contribution could exceed \$3,000. Or Congress could appropriate the difference.

Public financing might prompt new abuses. And, as has been noted in this space before [The National Observer, Oct. 13, 1973], it raises a serious Constitutional question: Isn't a limit on contributions an abridgment of free speech and association?

But whatever the scheme's shortcomings, it could remove the influence of large contributions on elections. And that, in the atmosphere of a Watergate-weary Washington, is enough to have breathed new life into an old idea.

Mr. THURMOND. Mr. President—

Mr. MANSFIELD. Mr. President, if the Senator will allow me—

The ACTING PRESIDENT pro tempore. Who yields time?

ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it come in tomorrow at 12 o'clock.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. And that when the Senate completes its business today, it stand in adjournment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

The ACTING PRESIDENT pro tempore. Under the previous order the Chair now lays before the Senate the pending business which the clerk will state.

The assistant legislative clerk read as follows:

H.R. 11104 to provide for a temporary increase of \$10.7 billion in the public debt limit and to extend the period to which this temporary debt limit applies to June 30, 1974.

The ACTING PRESIDENT pro tempore. The pending question is on the motion to invoke cloture on the motion to insist on the Senate amendments to H.R. 11104 and request a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time on the cloture motion which will become eligible for consideration tomorrow, and which was filed yesterday, begin at the hour of 1 p.m.

Mr. ALLEN. Mr. President, will the Senator from Montana yield for a moment?

Mr. MANSFIELD. I yield.

Mr. ALLEN. Is he going to press the cloture motion today?

Mr. MANSFIELD. Yes; this is for tomorrow.

Mr. ALLEN. You anticipate it is going to fail today?

Mr. MANSFIELD. No; just in case. Just insurance. [Laughter.]

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THURMOND. Mr. President—

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

Mr. HUGH SCOTT. Mr. President, we are all so happy and so pleased and delighted to be here today that I do not think I will say anything to add to the joy involved in this conversational exchange.

Let us leave that to those who wished to be present today. I speak as one who did not.

Several Senators addressed the Chair.

Mr. PASTORE. Mr. President, I am glad to see that the minority leader is wearing the badge of merit over his heart today.

Mr. HUGH SCOTT. I wear it over my heart in recollection of my sins and hope for a better life from now on. [Laughter.]

Mr. THURMOND. Mr. President—

The ACTING PRESIDENT pro tempore. Time is now under control—

Mr. THURMOND. Mr. President—

The ACTING PRESIDENT pro tempore. The time will be equally divided between the Senator from Louisiana (Mr. Long) and the Senator from Alabama (Mr. ALLEN).

Mr. ALLEN. Mr. President, a quorum has not been established. That would come first.

Mr. ROBERT C. BYRD. The establishment of a quorum is not required at this point.

The ACTING PRESIDENT pro tempore. In the absence of a quorum until the end of the hour—who yields time? Who yields time?

Mr. THURMOND. Mr. President—Mr. President—

The ACTING PRESIDENT pro tempore. The Senator may not be recognized until time is yielded to him.

Mr. THURMOND. Mr. President, I ask unanimous consent that a member of the Judiciary staff be present during this debate—

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. ALLEN. I yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I ask unanimous consent that Mr. Packet of the Judiciary staff be allowed the privilege of the floor during this debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Alabama is recognized. How much time does the Senator yield to himself?

Mr. ALLEN. I yield myself 6 minutes.

The issue presented to the Senate today is whether there shall be placed above the fiscal integrity of the U.S. Government a demand for a Federal hand-out to some score or more Presidential hopefuls of up to \$7½ million. Included in that number are some 8 or 10 U.S. Senators and, in addition, some of the wealthiest men in the United States. It seems to the Senator from Alabama that we would have to look mighty far to find a group of people to whom the Federal Government does not give financial assistance if we are to provide a Federal handout in the form of a Federal subsidy for candidates for the Presidency, for Presidential hopefuls who seek the Presidential nomination of their respective parties. This is an effort on the part of those who would put such a handout ahead of the fiscal integrity of the United States.

What would it do? It would undercut the Watergate Committee. That committee was set up to rectify abuses resulting from campaign issues. Unless I miss my guess, there are five members of the Watergate Committee who do not favor this proposal.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ALLEN. I yield.

Mr. AIKEN. The Senator referred to this as a handout. Does not the Senator mean "reach-in"?

Mr. ALLEN. "Reach in" and take out. Yes, "reach in." They reach in and take out of the taxpayers' pockets. The Senator is absolutely correct.

This measure, which has had all of 30 amendments, according to the distinguished chairman of the committee, has had 3 minutes of consideration. Who knows what it says? There is not a copy on the desk of any Senator. So far as this Senator is concerned, he has not received a copy.

It undercuts the Watergate Committee. It does not wait for that committee to make its recommendation. That committee does not like it. Five of the seven members do not like this provision.

What else does it do? It undercuts the committee system. This bill has not had any consideration before a committee. It undercuts the committee system. It undercuts the U.S. Senate itself, because on July 30, we passed in the Senate, by a vote of 88 to 8, S. 372, that provides for strict regulation of campaign receipts, expenditures, and disclosures. That bill is now in the House of Representatives.

But far more than that, far more than

the instant case, is the precedent we are going to be setting, if a little group of men in the Senate, so-called leaders, can get together and present a half-baked proposal such as this is to the Senate, get a vote on it, add it to a House bill, have the House give it no consideration until the final package is presented to it, and then send it to the President in a veto-proof condition because it is added to a "must" bill.

Mr. President, if we are going to allow that precedent, if we are going to allow a little group of so-called leaders in the Senate, to tack a half-baked concoction such as this, which nobody knows the details of, to a must bill, we are going to establish a precedent—

The ACTING PRESIDENT pro tempore. The 6 minutes of the Senator have expired.

Mr. ALLEN. I yield myself an additional 2 minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized for 2 additional minutes.

Mr. ALLEN. If we are going to allow a small group of people to rewrite the basic and fundamental principles upon which our governmental processes are based, without ever sending such a measure to a committee, without it ever having 1 day of hearing, this will be the practice as often as this bill comes up, and it has come up every 5 or 6 months, because Congress, in its wisdom, extends this limit for only 5 or 6 months at a time.

So now is the time to call a halt to it. If those who favor this raid on the Treasury place that ahead and above and beyond the fiscal integrity of the United States, so be it.

Mr. President, I have presented twice in the Senate a motion that would resolve this whole matter and send this bill to the President; and I hope that after the cloture motion is voted on, we will act on that, and that we will not be prevented from acting on it by a filibuster or parliamentary tactics, because that motion is still pending before the Senate. As soon as the cloture motion is disposed of, we will move to the motion to recede and vote on a bill which will be passed and go to the President. He is in Washington for this weekend, and he can sign the measure.

So, Mr. President, a great issue is presented here—whether we are going to legislate by just a few fellows getting together and saying, "We wish to compromise, and we can handle those fellows in the House. They are just a bunch of sacks of potatoes," they say—not those I know—"and we can pass that over there. All we have to do is agree to it in the Senate."

We are not going to agree to it today in the Senate, in the judgment of the Senator from Alabama, and I hope we will pass the debt limit bill.

Mr. President, I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. LONG. Mr. President, I yield 2 minutes to the majority leader, the distinguished Senator from Montana.

Mr. MANSFIELD. Mr. President, I am afraid that the distinguished Senator from Alabama doth protest too much.

He talks about undercutting the Watergate Committee. As a matter of fact, it was the Watergate Committee which helped to generate the question of contributions by corporations and others in Presidential campaigns.

In my opinion—and I may be wrong—I have an idea that the distinguished Senator from Alabama would not even vote for a Presidential proposal of this nature, even if it were proposed by the Watergate Committee.

He says, also, that we are attempting to undercut the committee system. The distinguished Senator from Alabama knows better than that. He knows that the committees are the servants of the Senate as a whole, and the Senate as a whole is now and has been and will be, if need be, considering this measure. After all, when we think of committees, we think of them as the creatures and the servants of the Senate. They are nothing special. They are subordinate to this body. That is the way it is, and that is the way it will be, because no committee is going to tell the Senate how the Senate as a whole is going to vote.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am glad to yield.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LONG. I yield 2 additional minutes.

As a practical matter, I ask the Senator, is it not the Committee on Finance that would have jurisdiction of this matter, not the Watergate Committee?

Mr. MANSFIELD. Of course.

Mr. LONG. The fact is that the Committee on Finance has considered this type of matter several times before, and we in the committee had the proposal before us. If one looks at the rollcall votes, he will see that the committee would be closely divided on this matter, even more closely divided than the Senate itself.

It would be appropriate to say—as the committee did—that no matter what advice we may give the Senate about this matter, the Senate is still going to reach its own conclusions. Therefore, we reported the debt limit bill, reserving the right to every Senator on that committee—as we would expect every Senator who has heard this issue debated time and time again for weeks and months in the Senate—to take a position on this issue.

Basically, I am persuaded that it is the issue we are talking about, not the precise details of how it is to be done. It is a question of whether one wants to remove from this Government the power of private money to dictate the decisions rather than the consciences of private people. It is an issue that is far bigger, in my judgment, than the Finance Committee, the Watergate Committee, or any others. It was here with us, and may I say that the Senate had taken a position on it, long before we had ever heard of the Watergate Committee.

Mr. MANSFIELD. The Senator is correct. All the Watergate Committee can do is to recommend legislation; and if legislation is recommended in this area, it would, of course, go to the Fi-

nance Committee. The Finance Committee has held hearings on this proposal. The Senate has discussed it on 3, 4, or 5 different days that I can recall.

I do not think that this is a "half-baked" proposal, as the distinguished Senator from Alabama seems to indicate; nor do I think that the leaders—the Democratic leaders, that is—when they met, took onto themselves extraordinary prerogatives because we said that we would try to get the Senate and the House to agree to a proposal of this nature.

The ACTING PRESIDENT pro tempore. The 4 minutes of the Senator have expired.

Mr. LONG. I yield 1 additional minute to the Senator.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the distinguished Senator from West Virginia (Mr. RANDOLPH), who I thought had signed the cloture motion yesterday, be included in yesterday's cloture motion.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. Who yields time?

Mr. KENNEDY. Mr. President, will the Senator yield me 4 minutes?

Mr. LONG. I yield 4 minutes to the Senator.

Mr. KENNEDY. Mr. President, the last time the Senate met in extraordinary Sunday session was more than 100 years ago, on the eve of the Civil War and the inauguration of Abraham Lincoln, the President who saved the Union.

It is entirely appropriate, therefore, that we meet in extraordinary Sunday session this morning on what we hope is the eve of the most important action Congress can take to save the Union from Watergate and preserve the political system of the Nation.

Last week, a strong bipartisan majority of the Senate enacted far-reaching legislation to establish public financing of all elections for Federal office—President, House and Senate. Since that action, we have received strong indications that the House of Representatives is prepared to accept at least two major parts of that legislation now—the prohibition on private financing in the general election for President, so that all candidates will be required to use the public financing option now available; and the matching grant provisions for partial public financing of Presidential primaries.

Although the third major provision of the amendment passed by the Senate last Tuesday—public financing for Senate and House elections—may not be enacted now, it is still of great significance that the full Senate is so squarely on record in support of this provision. I believe its enactment will come swiftly, as soon as the House of Representatives has had the opportunity to consider more fully the application of public financing to its own elections.

But Congress is ready now, on the Debt Ceiling Act, to take a giant step toward restoring the shattered confidence of the people in the integrity of their Government. Those who seek today to frustrate the will of the majority of the Senate by

maintaining this unconscionable filibuster are also frustrating a majority of the House of Representatives and a majority of the American people and they cannot be allowed to prevail.

If Watergate means anything, it means that the time has come to end the corrosive power of private money in public life. The corruption of the 1972 election demonstrates beyond any doubt that our campaign financing laws are hopelessly inadequate to stem the tide of abuse that flows from the power of giant political contributors and those who seek their contributions.

If we seize the moment we now have, we can shut off forever the underground flow of cash in political campaigns. We can ring down the curtain on the role of big campaign contributors. For too long, they have profaned the proud profession of politics. The time has come to end the corruption and the appearance of corruption that always travel in their wake.

Public financing is the best single answer Congress can provide to the evils symbolized by Watergate. At a single stroke, by enacting the bill before us, we can take the Presidential election off the auction block, and give it back to the American people.

I hope this filibuster marks the last stand of those who would ignore the lesson of Watergate and preserve the status quo. There is no wiser investment the hard-pressed and long-suffering American taxpayer can make than to spend his tax dollars on public financing of elections, and I hope that Congress will vote today to let this measure pass.

Mr. President, I wish to ask the Senator from Louisiana a very brief question. He has served in the Senate for, I believe, 24 years.

Mr. LONG. Twenty-five years.

Mr. KENNEDY. Twenty-five years. The Senator from Louisiana has seen filibusters come and go. I would be interested in his view as to whether this type filibuster could really take place and continue without the support and encouragement, or at least the acquiescence, of the White House.

Does the Senator, who is the manager of the bill and who has been one of the real pioneers in campaign reform, think we should have a statement from the President of the United States on the issue that has brought the Senate to an extraordinary session at this time? The President has stated in the past that he is for campaign reform legislation. The former Vice President said he believes in public financing. We have had a clear expression by the Senate. A strong majority of the Senate is on record in favor of this legislation. Why is the President silent?

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. KENNEDY. Mr. President, will the Senator yield to me for 1 additional minute?

Mr. LONG. I yield.

Mr. KENNEDY. A strong majority of the Members of this body has voted in support of this legislation, and I believe that a majority of the House would do so as well.

Does the Senator agree with me that it

would be appropriate for the American people, as the Senate meets in this deadlock situation, to receive some clear expression from the President on this issue, which has brought us to this extraordinary session?

Mr. LONG. Mr. President, I am convinced that a successful filibuster cannot be sustained against this proposal which, from the point of view of those of us who favor it, is to remove the influence of big money from its potential of dominating decisions of this Government. In my judgment a filibuster cannot be sustained if the man who sits in the White House did not want that type filibuster to succeed. If he wanted it to succeed, my guess is it would have a fairly good chance of continuing, even successfully; but if he does not want it to be sustained, it seems to me he could make his views clear and there would not be 34 votes in this body to support the filibuster.

It is obvious where the votes are. The Senate voted to propose this measure. This measure has gone to the House before, and it went there without a filibuster. So it is fairly clear that we would not have a filibuster on our hands if it were not for the fact that there are those in this body as well as in the House who feel that the House is willing to agree to something, and what they are willing to agree to are those items mentioned by the Senator from Massachusetts: one, a prohibition on accepting private contributions on the part of one who is a candidate for President of one of the two major parties; and, two, a proposal that we would help to relieve the pressure of accepting financial contributions, large ones, at least, by those who are candidates for the office of President in the nomination process of the two major parties.

So we have here a proposal that the majority of us, and I believe a majority in both Houses, believe would have a cleansing effect and tend to remove this Government from the power of money to corrupt it, or at least lessen that power in a very major way. It has to do with one's philosophy of government. It goes back to the quarrel between Thomas Jefferson and Alexander Hamilton about whether the few should rule or whether the many should rule in this land. It is fundamental to all of us. Frankly, although some may give it little credit, there is something to be said for the Alexander Hamilton side of the argument, and that philosophy is being expressed by those who do not want this to go to the President. Those who have the majority should be in a position to lay their legislative proposal on the President's desk. If he still feels determined about this matter, as he was a year or two ago, we would not expect him to veto it.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LONG. I yield myself 2 additional minutes.

It may be that the President actually would want to follow through with what he said when he made a rather contrite statement before the American people on television, urging Congress to prepare

some measure to see that this type scandal which is plaguing his administration will never happen.

It seems to me that he would want to go along today with those who have better credentials in this area of maintaining a system above and beyond the power of money or any improper forces to corrupt. He should be willing to accept the judgment of others who have better credentials than he in this area. It seems to me he might be willing to sign a measure passed by a majority of this Congress who think this will have a pronounced cleansing effect on our Government. If not, we would have to consider whether we have the votes to override a veto, and if we do not, we will have to yield eventually to the President on this matter. But we should have a chance to find out. Those supporting a filibuster today should be willing to permit the Senate to take its proposal to the President so that he can either agree with those who are conducting the filibuster or those who have been among his strongest supporters in the past.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. LONG. I yield 4 minutes to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I think it is appropriate that we meet this morning for the first time in 112 years on a Sabbath morning because I believe what we have before us truly is the Lord's work. If it was necessary once to force the moneychangers out of the temple, it is equally obvious we must chase those who would compromise and corrupt politics and the American political system out of the system this morning and seek to do so by adopting cloture and going on to adopt the underlying measure.

Mr. President, let us be clear about what is going on here today.

An administration which has done more than any other in the history of this Nation to illustrate the defects in our present system of financing political campaigns apparently would prefer to have American Government grind to a halt rather than clean it up.

The Halls of the Senate are haunted by White House lobbyists attempting to kill this reform of Presidential campaigns. And high White House officials are twisting the arms of Members of Congress with the threat that the debt limit bill will be vetoed if our reforms are attached.

It is a final irony that this administration—which is above all responsible for dramatizing the corrupting influence of massive campaign contributions on our political life—has now mustered such a fierce lobbying effort to preserve the very system which has led to their corruption and possible downfall. In their desperation, they seem bent on preserving the very system that has nearly destroyed them.

This is a tawdry spectacle to place before the American people in the year of Watergate. And if the administration achieves the one-third minority needed to frustrate the will of the Senate and the people, it will be a national tragedy.

The American people are tired of clever and disingenuous maneuvering by politicians.

They are fed up with the filth and corruption of our present system of financing political campaigns.

They want an end to the cynical business of putting American Government up for sale to the highest bidder.

They want an end to the "Buy America" system of financing campaigns.

By an overwhelming majority of 59 to 36 the Senate of the United States—Democrats and Republicans alike—voted this week to make a start on ending this system for good, through combined public and private financing in all campaigns for Federal office—for the Presidency, the House, and the Senate.

Now we are given to understand by the leadership of the House of Representatives that the House is willing to join with us to provide a comprehensive system of public financing for at least Presidential elections.

And this is the argument today. The question is whether we will join with the House to reform Presidential campaign financing, or allow this critical reform to founder on the rocks of parliamentary maneuvering.

The provisions which the House is willing to accept are essentially those introduced by Senator SCHWEIKER and myself last July.

And they were overwhelmingly approved by the Senate in the comprehensive amendment adopted last week under the leadership of the distinguished Senator from Massachusetts (Mr. KENNEDY).

Under this plan:

Each candidate in the Presidential primaries would be entitled to matching payments of public funds for the first \$100 received from each individual contributor, but candidates must first accumulate \$100,000 in contributions of \$100 or less.

Treasury matching payments in the primary period would be limited to \$7 million per candidate, and no candidate could spend more than \$15 million overall in the primaries.

In Presidential general elections, public financing through the voluntary dollar checkoff is made mandatory instead of permitting candidates to forgo public funds and use all private money, as the present law allows. This effectively limits each candidate to spending no more than \$21 million in the general election.

Now, the administration, supported by a minority of Senators, is trying to destroy our chance to achieve this fundamental reform of Presidential campaign financing.

The plan for public financing of Presidential campaigns is, we are told, "a raid on the Federal Treasury for the politicians of the country."

This is the kind of distorted rhetoric we have already heard far too often in this year of Watergate.

For under the proposal the success of a candidate in securing financial support, at the primary level, will be proportional to his or her ability to first secure broad-based support from thousands of small and moderate contributors.

The success of the proposal for both primary and general elections depends on the willingness of millions of Americans to check off dollars on their tax forms.

And our public financing proposals will cost less than one one-hundredth of 1 percent of the Federal budget.

For this small price, we can free the American Presidency from the stench and corruption of our present system of campaign financing. It is the best investment the taxpayers of this country could possibly make.

Let us look for a moment at some of the costs of our present system of financing campaigns:

In 1970, President Nixon rejected his Cabinet's recommendation to abolish oil import quotas, which were costing the American consumer \$5 billion a year in higher oil prices, and forcing us to consume our own badly needed reserves. The oil industry, which strongly favored retention of the quotas, gave at least \$500,000 to President Nixon's 1968 campaign.

The oil industry receives over \$2 billion a year in special tax subsidies which go virtually unchallenged, and additional billions in monopoly profits which go untouched by price controls and antitrust laws.

A congressional study a year or two ago found that the total cost of all Federal subsidies—cash payments, tax subsidies, and other special benefits—comes to over \$60 billion a year. Many of these subsidies go to industries and special interests that contribute large amounts to political campaigns.

Many of these provisions serve legitimate purposes. But they are surrounded with an air of special advantage that tinges even the most worthwhile with suspicion. And it is clear that other equally worthy causes—supported by ordinary voters—cannot begin to command the interest and sympathy from our Government that is given to the financially powerful.

But it is not just these direct costs that are harmful. What is far more damaging is the harm that is done by our present system to the trust and confidence American citizens must have in their Government.

The erosion of this trust in recent years is reflected in public opinion polls. A recent Gallup poll showed that only 25 percent of the American people are satisfied with the way this Nation is being governed—a drop of 11 percentage points in just 2 years.

It is not hard to understand why this has happened. What can we expect when people hear about things like—

Financier Robert Vesco giving \$200,000 to the Nixon campaign and then getting an appointment 2 hours later with the head of the SEC to discuss his financial problems.

Top Nixon fundraisers shaking down scores of businessmen for contributions of what amounted to protection money.

A convicted felon in Florida paroled early from Federal prison at around the same time he makes a secret \$30,000 cash contribution to the Nixon campaign.

The \$600,000 contributed to the Nixon campaign by the trucking industry at the same time it is fighting a government proposal to increase competition in highway shipping.

The Chairman of the Board of a major auto company being approached for

a contribution by Nixon fundraisers at the same time the industry is planning an aggressive campaign to water down Federal auto emission standards.

A \$200,000 contribution to the Nixon campaign by carpet manufacturers at the same time the carpet lobby is desperately trying to postpone enforcement of new flammability regulations.

A \$100,000 contribution to the Nixon campaign by a man named shortly thereafter as Ambassador to the Netherlands, and \$300,000 from a woman later named as Ambassador to Luxembourg.

A secret \$46,000 cash contribution from the chairman of Occidental Petroleum Co., which later announced an \$8 billion, 20-year fertilizer agreement with the Soviet Union, and a \$10 billion natural gas project in Siberia.

The \$30,000 in secret cash contributions from executives of a Houston pipeline company, which later announced a project to bring natural gas from Russia to the east coast of the United States—a deal requiring the approval of the Nixon administration.

A huge contribution from ITT to help underwrite the GOP National Convention mysteriously coinciding with an antitrust settlement between ITT and the Justice Department—a settlement highly beneficial to ITT.

This is what the public has seen. Heaven knows what it has not seen, in both political parties.

We cannot be sure in any single case that there is a direct connection between the contribution and the benefit received or the harm avoided.

But what is more important is that millions of Americans believe, with justification, that there is a direct connection in many. And that is what is so corrosive and damaging to public trust in government.

Our form of government simply cannot continue to function if millions of Americans believe it is being bought and corrupted by rich and powerful special interests.

Abraham Lincoln once said that—
With public sentiment, nothing can fail.
Without it, nothing can succeed.

What is at stake here today is nothing less than the future of our democracy. It is a test of whether government of the people, by the people, and for the people can, as Lincoln said, long endure.

It is a test which we cannot fail.
We must act now—today—to clean up American Government and make certain that a Watergate never again disgraces our democracy.

I urge the Senate to invoke the rule of cloture, to bring this filibuster to an end, and to act now to stem the corrosion of our political process.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LONG. Mr. President, I yield 1 minute to the Senator.

Mr. NUNN. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. NUNN. Would not, in every instance cited by the Senator, legislation which has passed the Senate, prohibiting large contributions, correct that? Would

that not be corrected by legislation which has already passed the Senate and is now pending in the House?

Mr. MONDALE. The answer is "No," because the bill we passed, dealing with trying to cleanse the private system of campaign funding proved another thing: If you really clean up the private funding, it is not possible to get enough funds to run; so we need a system of cleansed private funding plus public contributions.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LONG. Mr. President, I yield the Senator 2 minutes. Will the Senator yield to me?

Mr. MONDALE. I yield.
Mr. LONG. Is it not also true that the bill we passed permits contributions of \$3,000 per individual?

Mr. MONDALE. That is correct.
Mr. LONG. The people about whom we are talking have large connections. They have banking connections all over the United States and with foreign nations. They have connections with contractors and subcontractors' groups to the extent that, as a practical matter, any one of several of these major committees could have financed the whole campaign with \$3,000 contributions, if they had to do it that way, and find it to their advantage.

Mr. MONDALE. I think it is obvious to most persons who have bothered to study this subject that it is impossible to cleanse the present system of private financing and make it possible for a person to raise enough money to run for President. Therefore, if we cleanse the system, we must either back a system of public financing—this is what we are trying to do—to do away with a record of pervasive corruption which both parties are subject to—

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LONG. Mr. President, I yield the Senator 1 minute.

Mr. MONDALE. Several top officers testified that Government, which had great power, came to them and said, "Either we get this money from you"—we used to call it extortion in law school—"or other things might happen to you that you won't like."

The question is, Do we want to end that system? We all know about it. We are all in politics. There is no mystery about it. There is no one here who does not hate the private system. It demeans one. It sometimes corrupts him. The marvel is that it is as honest as it is. Let us attempt to do something about it this Sunday morning and throw the money changers out of the temple.

Mr. ALLEN. Mr. President, first I yield 4 minutes to the Senator from Colorado (Mr. DOMINICK), then I shall yield 2 minutes to the Senator from New York (Mr. BUCKLEY), and then 2 minutes to the Senator from South Carolina.

The ACTING PRESIDENT pro tempore. The Senators will be recognized in that order.

Mr. DOMINICK. Mr. President, I thank the Senator from Alabama.

I have been sitting here on this good

Sunday morning listening to the pious speeches from the Senator from Massachusetts and the Senator from Minnesota, most of which have been based on the fact that you have to throw the private givers out of a Presidential campaign.

As a matter of fact, listening to the speeches, I thought perhaps we were talking about a different bill, because the bill which is before us requires that one get private contributions before he can even get any money out of the Federal Treasury. No matter how far one reaches in, he still has to have \$100,000 to start with.

The second thing that interests me is that nobody is trying to kill this bill forever. There is no reason why it cannot go to the committee, be reported out of the committee, and be debated in the ordinary course like any other bill; but to attach it to the public debt limit seems to me to be deliberately trying to stall the whole economy of this country.

I do not happen to like the debt limit. I have said so on many occasions. It is a movable finish line. Every time we in Congress—and we are the ones doing it—increase the debt, then we move the finish line by increasing the debt limit, and we say to ourselves this has to be done because the economy of the country is going to go to pot unless we do, and then we go ahead and add that to an increase in the debt limit so we will not ruin that economy. We put on it this type of bill, which is not only controversial to start with, but which no one, as the Senator from Alabama has so clearly said, really understands.

I would say that, in listening to all this conversation about the Presidential political scene in the last election, wholly overlooked in the arguments has been the fact that the bill as it stands before us not only covers Presidential campaigns but also covers senatorial and congressional campaigns, so that everyone who will be running in 1976 or later, when the bill becomes effective, at that time has a personal interest in this bill, so that they can reach into the taxpayers' money and start getting some campaign funding for their own campaign.

To me, that is wrong. I happen to be lucky in this situation, because I do not come up in 1976; I come up in 1974. So it will not benefit me one way or the other. But I will say, whether it did or not, I cannot conceive of a worse situation than what we have here when we are trying to preserve the economy at a time of energy shortages and a lot of other problems, to be able to say we cannot raise the debt limit because we are more interested in getting into the taxpayer's pocket in order to finance political campaigns. It just makes no sense to me at all.

I am happy to say, whether we have an administration that is against this bill or for it, I am for the Senator from Alabama and I will be happy to sit and argue it and talk against this bill as long as he will give me time to do it.

It just makes no sense whatsoever for the Senate, which is supposed to be a deliberative body, to be talking about something which they do not have before it, which we know is nothing more than a measure to cover the financing of politi-

cal campaigns at a Federal level in 1976 or thereafter, and then get up and make pious speeches about what has been going on in Federal campaigns probably ever since the country started. It makes no sense at all.

Mr. President, I thank the distinguished Senator from Alabama for yielding.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized for 2 minutes.

Mr. BUCKLEY. Mr. President, I think the vital question before us now is not the question of how we should finance Federal campaigns. Certainly it is not to this issue that I intend to speak. Rather, I think what we are confronted with is a corruption of the legislative process through the use of so-called veto-proof bills as a vehicle for facing the adoption of totally unrelated measures. This practice constitutes a perversion of the Constitution of the United States. It is a practice that ought not to be tolerated in this Chamber.

The Constitution states that the majority of the Congress will work its will, and that if the President disagrees, he may exercise his right of veto. However, the Congress may vote to override that veto and the bill then becomes law.

The attempt to tack on unrelated legislation to a measure vital to the fiscal integrity of the United States is, to me, unconscionable—especially when there is not even the excuse of urgency.

We have heard a lot of talk in this Chamber about the low esteem into which the Executive has fallen. We should take cognizance of the fact that, if anything, the Congress of the United States has fallen to an even lower level.

The people of the United States are well aware of this appalling exercise of legislative irresponsibility on the part of Congress.

I believe we should be ashamed of ourselves and that we should allow the Senator from Alabama to have a vote on his motion to have the Senate recede from its amendments. And I believe that we should return to the Lord's business.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized for 5 minutes.

Mr. THURMOND. Mr. President, first I would like to commend the able and distinguished Senator from Alabama for leading the fight on this matter. The Senator from Alabama is in his first term as a U.S. Senator.

I am pleased to state now, although I am on the other side of the aisle from him, that he has become one of the most forward Senators and one of the most effective Members of this body.

First, I would like to say that I understand the question is whether we are going to apply cloture here. In many instances when some of us have tried to carry on debate, there has been objection.

A few years ago I remember the satellite bill, and I could refer to others, when the so-called liberal element of the Senate was determined to debate the matter. However, they are now taking the opposite view. They now say how horrendous and how terrible a thing it is.

It is my judgment that the Senate has a right to carry on extended debate under the rules of the Senate. It is proper to do so. I do not criticize any Member on the other side of the aisle or this side of the aisle for carrying on extended debate on any subject.

However, I want to say that I hope cloture will not be invoked here because there is an attempt here to attach to this extended debt limit bill a completely new subject, one of far-reaching importance, one that involves a restructuring of the entire election system of this Nation.

At the present time, Mr. President, the permanent debt limit is \$400 billion. The temporary debt limit is \$465 billion. All that this bill does is to extend this debt limit by \$10.7 billion, which would make the debt limit \$475.7 billion.

I realize that some people do not wish to extend the debt limit. I have voted against extending the debt limit because we cannot keep on spending more than we take in year after year. However, we have been doing this for a very long time. For instance, in the last 30 years, I believe that we have not balanced the budget except for 6 years.

Congress might attempt to pass this off on whatever administration is in power. However, we cannot do this. Congress is responsible for authorizing appropriations. Congress is responsible for appropriating money. Presidents can recommend.

We can go back for the last 30 years, and all of the Presidents that we have had could recommend. However, they make a mistake when they recommend budgets that contain expenditures greater than our income.

Congress has to make this system work. It is a tripartite system of government. The Executive merely administers and executes the laws passed by Congress. And if Congress spends more than it takes in, Congress has only itself to blame. We are responsible.

Today the Members of the Congress have spent more than we have been taking in. It is unsound. We cannot keep on as we are going now. No individual can stay in business who spends more than he takes in. No company can stay in business when it spends more than it takes in. No government can succeed when it spends more than it takes in. And that is what we have been doing for a long time.

I am anxious that this matter come to an end. However, on the other hand, I think that it is not proper to attach this measure on a bill that is of tremendous and paramount importance.

Mr. President, in my judgment, Congress will make a mistake if it applies cloture rather than letting the debt limit bill be acted upon separately.

It is a great mistake, I think, to attach to a fiscal matter a very important fiscal matter, a very important piece of election legislation. The political campaign matter is important enough in itself to constitute an important piece of legislation.

I hope that cloture will not be applied. The ACTING PRESIDENT pro tem-

pore. The 5 minutes of the Senator have expired.

Mr. ALLEN. Mr. President, I yield myself 2 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Alabama is recognized for 2 minutes.

Mr. ALLEN. Mr. President, this is a far-reaching measure. As the distinguished Senator from New York (Mr. BUCKLEY) has pointed out, if we allow an extraneous matter of this importance to be attached to a must piece of legislation, we effectively amend the Constitution, because it wipes out the President's veto power which he can exercise when undesirable legislation is passed.

This measure, if its time has come, can withstand congressional hearings. It can withstand debate on the floor. It can be enacted on its own without riding piggy-back on a piece of must legislation.

Mr. President, I am going to answer the challenge that has been made, because it has been said that the Senator from Alabama and the others aligned with him are holding up a vote on this important matter.

I would like to point out that the Senator from Alabama on one occasion asked for unanimous consent that we recede from our amendments and pass the bill. Twice we put in a motion to recede from our amendments. Those who would have us pass the bill in its present form, and those who favor the campaign subsidies have prevented that issue from coming to a vote on the floor of the Senate. The Senate will not send the bill to the President and recede from its amendments.

Why should the Senate not be allowed to vote? By obstructive tactics on the part of those who favor the campaign subsidy, that issue has not been allowed to be presented to the Senate. Therefore, I issue this challenge: that after the vote on cloture, if cloture is rejected, there be a vote on the motion to recede. I hope the Senate will not be blocked by filibuster, as it was yesterday, or by a motion to adjourn, as it was yesterday, but that the matter will be brought to a vote.

Mr. President, I yield the remainder of my time to the chairman of the Watergate Committee.

Mr. KENNEDY. Mr. President, before doing that, will the Senator yield for a question?

Mr. ALLEN. I yield.

Mr. KENNEDY. Is the Senator willing to abide by a vote of the Senate? Would the Senator permit a majority of the Members of this body and the House of Representatives to express the will of the American people? If the Senator is issuing a challenge, will he abide by a similar challenge?

Mr. ALLEN. Of course, we will abide by the will of the Senate.

Mr. KENNEDY. If the majority of the Senators vote against it, will the Senator abide by the result?

Mr. ALLEN. Let us give Senators an opportunity to express themselves.

Now, Mr. President, I yield the remainder of my time to the distinguished chairman of the Watergate Committee, the committee appointed to seek a remedy for the ills of the present campaign system.

Mr. ERVIN. Mr. President, I intend to vote against cloture, for two reasons.

In the first place, I think it is time to abolish debt ceilings or to adopt a realistic debt ceiling which will be honored and observed.

Mr. HELMS. Mr. President, would the Senator use his microphone?

Mr. ALLEN. Would the Senator use his microphone?

Mr. ERVIN. Very well. Ever since I have been in the Senate, Congress has been engaging in the futility and the hypocrisy of trying to deceive the American people that we are going to limit expenditures by putting a ceiling upon them. I say, let us be done with that hypocrisy.

I agree with those who advocate the Kennedy amendment that something drastic must be done to regulate campaign contributions and expenditures. We ought not to try to do it on the Senate floor on the spur of the moment without affording Senators a reasonable opportunity to consider whether the remedy proposed would not bring upon the American scene a hundred different candidates who would get \$7 million each out of the Federal coffers.

No reform of magnitude should be made without having the appropriate committee study all relevant proposals, take evidence and views relating to them, and report to the Senate a bill after all the implications of the various proposals are known.

The Rules Committee was studying the Kennedy-Scott proposals and other related proposals on this subject and had not completed its study of them at the time the Kennedy amendment was abruptly and unexpectedly offered as an amendment to the wholly nongermane debt ceiling bill.

Americans can finance campaigns in an honest and honorable manner, I think, without going to the extreme this amendment would require. We should not take money out of the Federal Treasury to finance campaigns; we should finance campaigns by increasing the income tax exemption or credit allowable for contributions to whatever limit is necessary to enable the raising of adequate funds.

We should stop the hypocrisy of prosecuting men for making illegal contributions unless we also prosecute those who solicit such contributions. It has been against the law of this Nation since 1907, if my recollection serves me right, to make contributions for political purposes out of corporate funds. Why should the Department of Justice not prosecute the men who solicit or accept such illegal contributions for aiding and abetting crime, and have them sent to jail? None of the solicitors of such illegal contribution have been prosecuted; only the makers, who were coerced into making the illegal contributions, have been prosecuted and punished.

I propose that the following remedies be studied by the Rules Committee, before the Senate acts on Mr. KENNEDY's amendment to finance Presidential primaries and elections out of tax moneys:

First. Increase the tax exemption or tax credit for every person who makes a campaign contribution to the candidate

or party of his choice to a reasonable amount.

Second. To make it certain that all of these contributions will be reported, establish a commission, a bipartisan commission, to supervise Federal elections.

Third. Require the man who receives the contribution or the committee which receives the contribution to report its receipt forthwith to that commission, and require the man who makes the contribution to notify the Internal Revenue Service that he has made the contribution and expects to claim it as an exemption or a credit on his income tax return.

Fourth. Increase the penalties for violations of election laws, and enforce such penalties.

Since there are upward of 60 million voters in the United States, political fundraisers should be encouraged to raise campaign funds by obtaining voluntary tax-exempt contributions from citizens and be deterred by drastic criminal law, from coercing large contributions from corporations or unions.

By that method we could finance political campaigns in the United States without reaching into the Federal Treasury and without encouraging a multitude of candidates to seek nominations and elections to the Presidency for the purpose of getting their hands on millions of dollars of Federal funds.

I expect to vote against cloture. I would vote for a motion to recede. I think this whole proposition needs substantial study in the Rules Committee, because I know the Senate has not been able to give it any adequate consideration during the few hours we have discussed it on the Senate floor.

The ACTING PRESIDENT pro tempore. The Senator's time has expired. The Senator from Louisiana has 5 minutes remaining.

Mr. LONG. Mr. President, I yield myself such time as I may require.

There is no Senator's home in which the Senator from North Carolina is more admired than in the home of the Senator from Louisiana. It was my good fortune to marry the very fine person who was the Senator's secretary, and we admire him, I think, as much as anyone other than his own wife could admire him.

Mr. ERVIN. Mr. President, the Senator committed the grandest larceny ever committed when he stole my charming secretary from my staff to make her his bride.

Mr. LONG. Admiring the Senator as we do, we have concluded that the reason the Senator has taken the stand he has on this issue is only that he has never had the problem we have had trying to raise campaign money. The people of his State hold him in such high esteem that he has never had any fundraising problems.

Mr. President, this is not a veto-proof bill. The President can veto it if he wants to. But the Senate is barred, under the Constitution, from initiating revenue bills, so the only way the Senate can move in a revenue area of this sort is by amending a bill that has been passed by the House of Representatives. And if we believe a matter to be as important as

the Senate seems to believe this matter to be, naturally we would try to resolve the issue on a bill which the President would be very reluctant to veto, such as this one, and seek a confrontation on a "must" bill, which must become law in one fashion or another.

That is what the Senate has done. The Senate has espoused to initiate the issue in a way that would accomplish its purpose.

If we do not put this measure on a significant revenue bill, as the Senate has done, the attempt would be fruitless. So while I did not advocate it and was not a sponsor of this amendment, I completely respect the right of Senators to bring the issue to a conclusion in this fashion. They have a right to do it.

I have been looking over the rollcall votes on this issue, both yesterday, the day before, and in years past. When this matter first came up, the people of this Nation had little understanding of it. We were told that those of us who were attempting to finance campaigns at the expense of the taxpayer were wrong, that the public would not understand or approve.

What has happened? Those of us who have taken the position of those who are seeking to move forward in the area of campaign financing by the public have picked up votes; we have won elections; we are picking up States. We are picking up converts. In other words, there are Senators who have not voted with us in the past who are voting with us now.

We are picking up converts among the American people. We have been back before them, and are winning elections.

I submit, Mr. President, that those of us who favor this concept, which the public is coming to understand better and better day by day, are going to have an overwhelming victory at the polls next year. Only time will tell, but the whole trend has been in our favor.

There have been those who said the answer was to have more reporting of more information to the American public, and more accountability. So we give them their reporting and their accountability and we have opened up those doors and let the light shine through.

CALL OF THE ROLL

The ACTING PRESIDENT pro tempore (Mr. Moss). The hour of 11 o'clock having arrived, and pursuant to rule XXII, the Chair now directs the clerk to call the roll and ascertain the presence of a quorum.

The legislative clerk called the roll and the following Senators answered to their names:

Abourezk	Byrd,	Ervin
Alken	Harry F., Jr.	Fannin
Allen	Byrd, Robert C.	Fong
Bartlett	Cannon	Gravel
Bayh	Case	Griffin
Beall	Chiles	Hansen
Bellmon	Church	Hart
Bennett	Clark	Hartke
Bentsen	Cook	Haskell
Bible	Cranston	Hathaway
Biden	Curtis	Helms
Brock	Dole	Hollings
Brooke	Domenici	Hruska
Buckley	Dominick	Huddleston
Burdick	Eastland	Humphrey

[No. 544 Leg.]

Inouye	Montoya	Stafford
Jackson	Moss	Stennis
Johnston	Muskie	Stevens
Kennedy	Nelson	Stevenson
Long	Nunn	Talmadge
Magnuson	Pastore	Thurmond
Mansfield	Pell	Tower
Mathias	Proxmire	Tunney
McClellan	Ribicoff	Welcker
McGovern	Roth	Williams
McIntyre	Schweiker	Young
Metcalf	Scott, Hugh	
Mondale	Sparkman	

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Iowa (Mr. HUGHES), the Senator from Wyoming (Mr. MCGEE), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I also announce that the Senator from Missouri (Mr. SYMINGTON) is absent because of illness.

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Florida (Mr. GURNEY), the Senator from New York (Mr. JAVITS), the Senator from Ohio (Mr. SAXBE), and the Senator from Virginia (Mr. WILLIAM L. SCOTT) are necessarily absent.

Also, the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Illinois (Mr. PERCY), and the Senator from Ohio (Mr. TAFT) are necessarily absent.

The Senator from New Hampshire (Mr. COTTON) is absent because of illness in his family.

The Senator from Idaho (Mr. McCLEURE) and the Senator from Oregon (Mr. PACKWOOD) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) is absent by leave of the Senate on official business.

The ACTING PRESIDENT pro tempore. A quorum is present.

Mr. MANSFIELD. Mr. President, I would hope that after this vote is concluded we would be able to vote on the motion to recede and then on the Long motion—1, 2, 3—so that we could dispose of this matter once and for all and have it settled.

Would the Senator from Alabama agree to vote on a 1, 2, 3 basis?

Mr. ALLEN. We would take them one at a time. Let us vote one at a time.

Mr. MANSFIELD. All right. Keeping an open mind?

Mr. ALLEN. Absolutely.

Mr. STENNIS addressed the Chair.

The ACTING PRESIDENT pro tempore. Under the rule, we must proceed. The clerk will state the motion before the Senate.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to insist on the Senate amendments, request a conference with the House on the disagreeing votes of the two Houses, and authorize the Chair to appoint conferees on the bill H.R. 11104, an act to provide for a temporary increase of \$10,700,000,000 in the public debt limit and to extend the period to which this temporary limit applies to June 30, 1974.

1. Mike Mansfield	12. Charles H. Percy
2. Hugh Scott	13. Gaylord Nelson
3. Walter F. Mondale	14. Thomas J. McIntyre
4. Robert C. Byrd	15. Quentin N. Burdick
5. Edward M. Kennedy	16. Joseph R. Biden
6. Edmund S. Muskie	17. Hubert H. Humphrey
7. Lawton Chiles	18. Henry M. Jackson
8. Philip A. Hart	19. Jennings Randolph
9. Alan Cranston	
10. John O. Pastore	
11. Harrison A. Williams	

Mr. PASTORE. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The Senate will be in order before we proceed.

Pursuant to rule XXII, a rollcall has been had, and a quorum is present.

The question before the Senate is, Is it the sense of the Senate that the debate on the pending motion shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to maintain order and to ask Senators to keep their seats during the rollcall.

The ACTING PRESIDENT pro tempore. The Chair requests that all Senators remain in their seats and answer the rollcall audibly.

The Chair admonishes the galleries to be quiet during the rollcall procedure.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CANNON (after having voted in the negative). On this vote, I have a live pair with the Senator from West Virginia (Mr. RANDOLPH) and the Senator from Missouri (Mr. SYMINGTON). If they were here, they would each vote "yea." I have already voted "nay."

I withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Iowa (Mr. HUGHES), the Senator from Wyoming (Mr. MCGEE), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I also announce that the Senator from Missouri (Mr. SYMINGTON) is absent because of illness.

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Florida (Mr. GURNEY), the Senator from New York (Mr. JAVITS), the Senator from Ohio (Mr. SAXBE), and the Senator from Virginia (Mr. WILLIAM L. SCOTT) are necessarily absent.

Also, the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Illinois (Mr. PERCY), and the Senator from Ohio (Mr. TAFT) are necessarily absent.

The Senator from New Hampshire (Mr. COTTON) is absent because of illness in his family.

The Senator from Idaho (Mr. McCLEURE) and the Senator from Oregon (Mr. PACKWOOD) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) is absent by leave of the Senate on official business.

If present and voting, the Senator from Oregon (Mr. HATFIELD), the Senator from New York (Mr. JAVITS), and the Senator from Illinois (Mr. PERCY) would each vote "yea."

The yeas and nays resulted—yeas 47, nays 33, as follows:

[No. 545 Leg.]

YEAS—47

Abourezk	Haskell	Mondale
Bayh	Hathaway	Montoya
Beall	Hollings	Moss
Bentsen	Huddleston	Muskie
Biden	Humphrey	Nelson
Brooke	Inouye	Pastore
Burdick	Jackson	Pell
Byrd, Robert C.	Johnston	Proxmire
Case	Kennedy	Ribicoff
Chiles	Long	Schweiker
Church	Magnuson	Scott, Hugh
Clark	Mansfield	Stafford
Cranston	Mathias	Stevenson
Gravel	McGovern	Tunney
Hart	McIntyre	Williams
Hartke	Metcalf	

NAYS—33

Aiken	Dole	Nunn
Allen	Domenici	Roth
Bartlett	Dominick	Sparkman
Bellmon	Eastland	Stennis
Bennett	Ervin	Stevens
Bible	Fannin	Talmadge
Brock	Fong	Thurmond
Buckley	Griffin	Tower
Byrd,	Hansen	Weicker
Harry F., Jr.	Helms	Young
Cook	Hruska	
Curtis	McClellan	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Cannon, against.

NOT VOTING—19

Baker	Hughes	Randolph
Cotton	Javits	Saxbe
Eagleton	McClure	Scott,
Fulbright	McGee	William L.
Goldwater	Packwood	Symington
Gurney	Pearson	Taft
Hatfield	Percy	

The ACTING PRESIDENT pro tempore. On this vote the yeas are 47 and the nays are 33. Two-thirds of the Senators present and voting not having voted in the affirmative, the motion to close debate is not agreed to.

The question before the Senate is on agreeing to the motion of the Senator from Alabama (Mr. ALLEN) that the Senate recede from its amendments on H.R. 11104.

Mr. MANSFIELD. Mr. President, may I express the hope that we can come to a vote on this right now.

Mr. ALLEN. I am ready. Yeas and nays. The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Alabama (Mr. ALLEN).

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Iowa (Mr. HUGHES), the Senator from Wyoming (Mr. MCGEE), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I also announce that the Senator from Missouri (Mr. SYMINGTON) is absent because of illness.

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Florida (Mr. GURNEY), the

Senator from New York (Mr. JAVITS), the Senator from Ohio (Mr. SAXBE), and the Senator from Virginia (Mr. WILLIAM L. SCOTT) are necessarily absent.

Also, the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Illinois (Mr. PERCY), and the Senator from Ohio (Mr. TAFT) are necessarily absent.

The Senator from New Hampshire (Mr. COTTON) is absent because of illness in his family.

The Senator from Idaho (Mr. McCLELLAN) and the Senator from Oregon (Mr. PACKWOOD) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) is absent by leave of the Senate on official business.

If present and voting, the Senator from New York (Mr. JAVITS) and the Senator from Illinois (Mr. PERCY) would each vote "nay."

If present and voting, the Senator from Oregon (Mr. HATFIELD) would vote "yea."

The result was announced—yeas 36, nays 45, as follows:

[No. 546 Leg.]

YEAS—36

Aiken	Curtis	McClellan
Allen	Dole	Nunn
Bartlett	Domenici	Roth
Beall	Dominick	Sparkman
Bellmon	Eastland	Stennis
Bennett	Ervin	Stevens
Bible	Fannin	Talmadge
Brock	Fong	Thurmond
Buckley	Griffin	Tower
Byrd,	Hansen	Weicker
Harry F., Jr.	Helms	Young
Cannon	Hollings	
Cook	Hruska	

NAYS—45

Abourezk	Haskell	Mondale
Bayh	Hathaway	Montoya
Bentsen	Huddleston	Moss
Biden	Humphrey	Muskie
Brooke	Inouye	Nelson
Burdick	Jackson	Pastore
Byrd, Robert C.	Johnston	Pell
Case	Kennedy	Proxmire
Chiles	Long	Ribicoff
Church	Magnuson	Schweiker
Clark	Mansfield	Scott, Hugh
Cranston	Mathias	Stafford
Gravel	McGovern	Stevenson
Hart	McIntyre	Tunney
Hartke	Metcalf	Williams

NOT VOTING—19

Baker	Hughes	Randolph
Cotton	Javits	Saxbe
Eagleton	McClure	Scott,
Fulbright	McGee	William L.
Goldwater	Packwood	Symington
Gurney	Pearson	Taft
Hatfield	Percy	

So Mr. ALLEN's motion that the Senate recede from its amendments was rejected.

The ACTING PRESIDENT pro tempore. The question now recurs on the motion to insist on the Senate amendments to H.R. 11104, request a conference with the House on the disagreeing votes of the two Houses thereon, and to authorize the Chair to appoint conferees thereon.

Mr. LONG. Mr. President—

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield to me without losing his right to the floor?

Mr. LONG. Mr. President, I ask unan-

imous consent that I may yield to the Senator from Montana without losing my right to the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CLOTURE MOTION

Mr. MANSFIELD. Mr. President, I send a cloture motion to the desk and ask that it be read.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair, without objection, directs the clerk to read the motion.

The assistant legislative clerk read the motion, as follows:

We, the undersigned Senators, in accordance with the provisions of Rule XXII, of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to insist on the Senate amendments, request a conference with the House on the disagreeing votes of the two Houses, and authorize the Chair to appoint conferees on the bill H.R. 11104, an act to provide for a temporary increase of \$10,700,000,000 in the public debt limit and to extend the period to which this temporary limit applies to June 30, 1974.

Signed by 19 Senators:

1. Mike Mansfield	11. Walter D. Huddleston
2. Robert C. Byrd	12. Lee Metcalf
3. Hugh Scott	13. Harrison A. Williams
4. Dick Clark	14. T. J. McIntyre
5. Walter R. Mondale	15. Hubert H. Humphrey
6. Edward M. Kennedy	16. Philip A. Hart
7. Frank E. Moss	17. Vance Hartke
8. Edward W. Brooke	18. Mike Gravel
9. John O. Pastore	19. John V. Tunney
10. Warren G. Magnuson	

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The Senator from Louisiana has the floor.

Mr. LONG. Mr. President, I wish to address this message from the Senate to the President of the United States.

It seems fairly clear to me that there is a very strong feeling on the part of both the proponents of this proposal for public financing of Presidential campaigns and on the part of the opponents. It is one in which the President, in my judgment, has already taken a very decided interest and one in which the President is going to have to take a public interest.

I would advise the President that he should favor the ordinary legislative process whereby we would be permitted to express the majority view of both the House and the Senate and advance this measure to his desk.

If he vetoes the bill and if we do not have the power to override his veto of the bill with a Presidential campaign funds amendment attached to the bill, then I for one will vote to pass a debt limit bill without any riders on it.

However, it seems to me that the orderly legislative process is such that the President and those who support his position at this moment are in a position that the President will not support a filibuster if, by definition, it is an act of piracy.

I am not saying that to cast any invid-

ious aspersions on anyone. I have engaged in filibusters many times myself. I would be insincere if I were to try to say that Senators who feel strongly enough about a matter to engage in a filibuster should not do so. However, on the other hand, this matter must be resolved. And we will have a test of nerves starting on about Wednesday when the Government employees do not receive their paychecks and when contractors are not paid.

So, those who have voted consistently that this matter come to a conclusion and that the Senate be permitted to legislate on this matter will be put to a test and we will decide the matter. The President will then have to take a position as he has in the times past on this matter.

I would suggest to him that when he does so, his view should be that the Senate and House should act by majority vote, as we have the power to do, when we are permitted to vote. And he would do his part just by signing or vetoing the bill. If he vetoes it, when it comes back to the Congress, if we are not able to override the veto, my judgment is that he will have a bill back on his desk in 24 or 48 hours. In the event we are not able to override on that issue, the President will have prevailed even though I am convinced that his stand is unpopular in the polls.

At the same time, however, this is a matter on which we are entitled to legislate, and I believe we should. I do not believe that anything could be gained by the Senate staying in session and hearing speeches today.

I subscribe pretty much to the prayer of our Chaplain this morning, the Senator from Utah (Mr. BENNETT), when he asked the Deity to forgive us for being in session on this day.

So I would support a motion that the Senate adjourn and listen to further speeches tomorrow.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. LONG. Mr. President, I so yield.

Mr. MANSFIELD. Mr. President, I wonder if the Senator from Louisiana and his supporters would agree to a vote on the pending motion at the hour of 12 o'clock.

Mr. LONG. Mr. President, I would be delighted to have a vote on the motion that the Senate insists on its amendments.

I ask unanimous consent that the Senate vote on my motion that the Senate insist on its amendments at 12 o'clock today.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. ALLEN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

ROUTINE MORNING BUSINESS

By unanimous consent the following routine morning business was transacted:

ADDITIONAL COSPONSORS OF BILLS

S. 2505

At the request of Mr. METCALF, the Senator from New Mexico (Mr. MONTOYA) was added as a cosponsor of S. 2505, to provide, under the Social Security Act, for additional Federal payments to States on account of specified public assistance expenditures with respect to Indians, Aleuts, Eskimos, native Hawaiians or other aboriginal persons.

S. 2718

At the request of Mr. PELL, the Senator from California (Mr. TUNNEY) was added as a cosponsor of S. 2718, to provide for the financing of Federal election campaigns, and for other purposes.

EMERGENCY DAYLIGHT SAVING TIME ENERGY CONSERVATION ACT OF 1973—AMENDMENT

AMENDMENT NO. 755

(Ordered to be printed, and to lie on the table.)

EARLY MORNING RADIO SERVICE FOR RURAL AMERICANS

Mr. DOLE. Mr. President, I wish to say a few words regarding an amendment to the daylight saving time bill which I submit at this time.

The amendment deals with the problem daytime stations and full-time radio stations which operate at a substantially reduced power level during the night, would experience if we were to pass the daylight saving time bill.

These stations are currently prohibited from broadcasting or only permitted to broadcast at low-power levels during the presunrise hours. In the past, without year-round daylight saving time, they are able to come on the air at sunrise and provide news and information to their listeners before the listeners leave for work or begin their day's activity.

With year round daylight saving time, many of the daytime stations will not be able to begin broadcasting until as late as 8:30 or 8:45 in the morning. Thus they will not be able to provide the vital information to their listeners before they begin their activities.

The amendment I am submitting today is similar to the amendment I introduced with Senators HELMS, HUGH SCOTT, and THURMOND on November 16.

In addition to these previous sponsors, Senator BUCKLEY and Senator SCHWEIKER and my colleague from Kansas, Senator PEARSON, have also joined as sponsors of this amendment.

The amendment provides that the Federal Communications Commission shall, consistent with existing treaty agreements, make any adjustments in their general rules or take interim action pending the adjustment in such general rules, that might be necessary to insure that the radio audiences which are served by daytime stations are not deprived of this service during the crucial early morning hours if year round daylight saving time is passed.

This amendment is extremely important to rural areas, since radio in rural America provides a very valuable service which is heavily relied upon. It brings

local and community news, notices of coming events, weather reports, school openings or closings, stockman warnings, and much additional information which is indispensable to many citizens in rural areas in particular. These areas do not usually have morning newspapers and many people are out in their cars and trucks away from television. So radio provides an essential service for these communities and is especially vital to them during the early morning hours. Thus I feel that if Congress passes the year-round daylight savings time measure, it is essential that we include in it adequate protection for radio services to rural communities whose early risers would be most detrimentally affected by the legislation in the first place.

The House, in acting on their daylight saving time legislation included in their bill an amendment similar to the one I am now introducing and Dean Burch, Chairman of the Federal Communications Commission has in a letter to the House Interstate and Foreign Commerce Committee stated that inclusion of statutory language similar to that which I have included in my amendment, would be helpful to the Commission in dealing with this problem.

I am, therefore, submitting this amendment and am hopeful my colleagues will join in support of the measure.

Mr. President, I ask unanimous consent that the amendment be printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT No. 755

On page 6, at the end of the bill, add the following new section:

SEC. 5. Notwithstanding any other law or any regulation issued under any such law, the Federal Communications Commission shall, consistent with any existing treaty or other agreement, make such adjustment by general rules, or by interim action pending such general rules, to permit daytime standard amplitude modulation broadcast stations to operate not in excess of one hour prior to local sunrise, as may be consistent with the public interest, including the public's interest in receiving interference-free service. Such general rules, or interim action, may include variances with respect to operating power and other technical operating characteristics, but no such daytime station shall have its operating power reduced below 500 watts or fifty per cent of its daytime power whichever is greater for such hour of presunrise operation. Subsequent to the adoption of such general rules, they may be varied with respect to particular stations and areas because of the exigencies in each case. Provisions of this section shall also apply to those full time stations which currently have pre-sunrise broadcasting authority but for whom such authority permits broadcasting at a substantially reduced power compared with their daytime broadcasting operations.

ADDITIONAL STATEMENTS

JOBS FOR VETERANS

Mr. METCALF. Mr. President, today, almost a year after the United States withdrew its military forces from Viet-

nam, there are more than 275,000 Vietnam era veterans without jobs. And with the present energy crisis, a considerable number of those who had gotten jobs are being laid off. Lack of jobs for these veterans has been the result of hard luck and no opportunity. Too many veterans are unaware of the agencies and programs offering educational and occupational assistance.

One of the organizations which has been outstanding in its efforts to help unemployed veterans is Jobs for Veterans. It has published "A Digest of Veteran-Related Programs for Jobs, Training and Education." The Digest catalogs the responsibilities, services and addresses of agencies and programs set up to help veterans, including financial assistance plans. Jobs for Veterans is to be commended for its work, which is needed more than ever today.

THE ENERGY CRISIS

Mr. HOLLINGS. Mr. President, in this week's newsletter issued to my constituents, I noted the lack of an energy policy in this Government. Emphasizing the confusion, I pointed out the numerous switches in President Nixon's approach, or lack of approach, in the last year. I likened this procedure to Sealtest ice cream with a flavor of the week. Now we have a new flavor, Mr. Simon of Treasury with a temporary Office of Energy Administration. I like this flavor. But it is not permanent. It does not have credibility, for apparently the President will change again. There is no duty to consolidate all data. There is no communication between the Congress and the President, since we do not have powers to confirm. I ask unanimous consent that the following report be included in the RECORD to point up this dilemma.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE ENERGY CRISIS

There was an old saying aboard ship in World War II, "When in danger, when in doubt, run in circles, scream and shout." Such is Washington's reaction to the energy crisis. It's been coming. The brown-outs in northeastern United States in '65 and '66 gave us the warning, but we were too busy with the Vietnam War to listen. Suffice it to say, President Nixon did not cause the energy crisis. But the President is the only one who can prevent the crisis from becoming a catastrophe. And if he doesn't act decisively by January 1, then instead of just cooler homes, Americans will be cooling their heels—out of a job.

We are in an energy crisis because:

1. TREMENDOUS CONSUMPTION—TREMENDOUS WASTE

The U.S., 6 percent of the world's population, consumes over 35 percent of the world's total energy. More important, *we waste more than we consume*. Large glass office buildings waste two-thirds of the energy needed in their operation.

2. SPIRALING CONSUMPTION

In the next 10 years, the United States will use as much oil and gas as it used from the beginning of its history until the year 1970. To compound the problem, the rest of the world is consuming energy at a faster rate than the United States. For example,

the world as a whole will use as much energy between 1970 and 2000 as it did from the start of mankind until 1970.

3. REFUSAL TO ELIMINATE OIL IMPORT QUOTAS

President Nixon's Cabinet Task Force on Oil Imports headed by Secretary Shultz recommended that oil import quotas be eliminated in 1970. However, the President overruled this recommendation and the millions of barrels of oil that could have been imported and refined during the last 4 years were never received. This is the primary reason why not a single additional oil refinery has been constructed in the United States in the last 4 years.

4. NO RESERVE CAPACITY

A 9 month reserve was recommended to avoid a crisis. However, we failed to develop a reserve capacity from the oil received. The Arabs never would have mandated an immediate cut-off if they knew we had 9 months supply time to develop domestic production.

5. DELAY IN POWER PLANT CONSTRUCTION

New conventional and nuclear power plants have been delayed on an average of 26 months due to technical and environmental difficulties.

6. INSUFFICIENT RESEARCH AND DEVELOPMENT

The numerous research and development proposals in Congress for coal gasification, thermo-nuclear energy, solar energy, etc.—all were opposed by the Administration until recently on the basis that the private sector could do the job and no further federal incentives were needed.

7. SHORTAGE OF NATURAL GAS SUPPLIES

For years the Administration's policy of deregulation has encouraged withholding of supplies because of the expectation of large windfall profits in the future. At a price of 25 cents per Mcf of gas, the average profit of the natural gas company is 18 percent—more than adequate. However, with deregulation, immediately the price would jump to 75 cents, thereby creating an expectation of profits of over 200 percent.

8. FEDERAL TAX POLICIES HAVE ENCOURAGED THE PETROLEUM INDUSTRY TO SEARCH FOR AND PRODUCE ENERGY RESOURCES ABROAD RATHER THAN AT HOME

An oil company is eligible for depletion allowances, intangible drilling expense deductions, and foreign investment tax credits on its operations abroad. High royalty payments to foreign governments become high tax credits, thereby encouraging investment abroad rather than at home.

9. GOVERNMENT POLICIES HISTORICALLY WRONG

Rather than encouraging prudent usage of energy, government has encouraged energy waste. For example, more highways rather than mass transit, lower cost of energy the more you use, inadequate insulation standards in housing, etc.

10. BUT MOST OF ALL, NO ONE IS IN CHARGE!

The responsibility for energy policy is spread over 73 agencies and departments of government. One would think that Governor Love, whom President Nixon calls his "Energy Czar," would be in charge, but appearing on the "Today" Show, Governor Love, when asked about gasoline rationing said he didn't know. But, he continued, "an inter-agency group pulled together by OMB is working on a plan." OMB is the Office of Management and Budget charged with fiscal affairs, not energy affairs. OMB is staffed with fiscal experts—not energy experts. And so we have in place of a policy, organized chaos. Secretary Morton says we will have rationing by January. Secretary Shultz says over his dead body! Herbert Stein, Economic Counselor, and Melvin Laird recommend 30 cents tax on a gallon of gas and then comes the President blaming Congress. No one seriously suggests that the legislative branch is

equipped to promulgate a policy on energy. The problem is complex and the committee system of Congress forbids a comprehensive approach. The Commerce Committee has jurisdiction over the Federal Power Commission, the Joint Committee on Atomic Energy has jurisdiction over nuclear power plants. Public Works Committee has the government hydroelectric dams. The Interior Committee has fossil fuels. Foreign Relations and Finance have jurisdiction over Mid-East oil—there is no one committee of Congress to cope with the problem spreading through 73 agencies. Accordingly, we need one place in the executive branch to go to for energy policy.

Foreseeing this dilemma, I introduced in June of 1972 a bill to institute an Energy Policy Council in the White House. It provides 3 persons appointed by the President and confirmed by the Senate with its director or chairman being the Energy Czar. Continuity and communication between the legislative and executive branches is guaranteed by the confirmatory power in the Senate. Best of all, this Policy Council is charged not only with promulgating a policy to be updated annually, but it was specifically directed to corral all the statistics. Every time you hear one of these "energy experts," he is using one set of figures and someone else has different figures. No one knows the truth. The oil companies and natural gas companies are reluctant to give the true facts. So here was a simple plan which passed the Senate overwhelmingly on May 10. It passed over White House opposition and the White House continues to oppose the bill in the House.

Trying to get an energy policy out of this Administration is like pulling teeth. Until the President's re-election last year, the President's energy man was Peter Flanagan in the White House who said there was no energy problem. However, after the election, the President switched off saying there could be a problem and appointed Dr. Kenneth Lay, Deputy Assistant Secretary of Interior for energy. The ink wasn't dry on this order before in December the President changed again and stated that Mr. James E. Akins of the State Department was preparing the President's energy message to the next Congress. Then in January, 1973, the President changed completely, appointing his so-called "Super-Cabinet" of 4 departments, one—the Department of Natural Resources, Secretary Earl Butz was put in charge of this department and named Counselor to the President in charge of energy. But in February the President changed again, appointing Presidential Advisors Shultz, Kissinger and Ehrlichman as the President's Special Committee on Energy. These advisors were so busy with other responsibilities, it was hard to get a quorum. So next the President appointed Mr. Charles DiBona as Special Consultant to the President on Energy. Mr. DiBona prepared a 42 page term paper on energy and submitted it as the President's Message to the Congress on Energy on April 18, 1973. This contained much rhetoric and little substance. In the meantime, Mr. William Simon, Assistant Secretary of the Treasury, was appearing at Congressional hearings on energy matters and he seemed to have the best grasp of the situation. However, when the Congress started working closely with him, the President cancelled him out on June 29th with the appointment of Governor Love as the so-called "Energy Czar." So you can see that the President's lead of 7 policies in 7 months has been rather difficult to follow. And, of course, the major ingredient necessary is missing: credibility. When the President speaks, fundamental to the success of his proposals is that the President is believed. An Energy Policy Council would eliminate the internecine warfare between department heads jockeying for position. It would clear the air from countermanning counterproposals. There would be that one

place where the Congress and the people could all go to obtain the truth and this one office would speak for government so that we could all head in the same direction. But for the moment, just when I was beginning to believe Governor Love, he appears saying, no, not me—it's OMB. And just when you think it's OMB, the President says no, it's a special task force. Like Sealtest ice cream, it's the flavor of the week, and if you don't like the government's position this week, wait until next week. And waiting, a crisis becomes a catastrophe.

CRISIS SERIOUS—CRISIS DEEP

The energy crisis is serious. It is deep. There is nothing the President can do, there is nothing the Congress can do to prevent critical shortages between now and 1980. The problem is very complex. It will require billion-dollar research efforts; a crash program like a Manhattan project; long range planning. Hence, the President's "Project Independence"—making the United States independent of any reliance upon foreign sources of supply by 1980. But the main round of this bout lasting until 1980 is what can and must be done in 1974. This is the year of sacrifice. If Americans will tighten their belts 12 months then we can prevent a crisis from becoming a catastrophe.

CRISIS YES, BUT NOT CATASTROPHE

In a capsule, America consumes 18 million barrels of oil a day. A quickening of the Alaska pipeline, a love-in with the Arabs, could vary it slightly, but any way you look at it, we are going to operate with a 3 million barrel shortage daily. This is a crisis. It means until we can develop additional resources, we must move immediately into the gap to eliminate 3 million daily shortage. Experts say this can be done in the following manner:

1. Pick up a million barrels by conservation—lowering the thermostat to 68 degrees, daylight saving time throughout the year, etc.
2. Pick up the second million by increased production—deregulation of natural gas, etc.
3. Pick up the third million by gas rationing.

This last one is a must—now! You can't play with it. You can't edict 50 miles per hour, eliminate Sunday driving, and expect to do the job. This only saves 250,000 barrels and the need is for a million. Moreover, when you set two different speed rates, you have created a problem rather than solved one. These half-measures start people hoarding and consuming, rather than conserving. So before long, the President says, surprisingly, it hasn't worked. With half-measures, the best minds look for the crisis to turn to catastrophe by Springtime. That is, instead of rationing pleasure travel, there will be a cut-off of supplies where people cannot get to work, where fuel for the fiber industry so vital to textiles is drastically cut, where natural gas is unavailable and plants work part-time. This is what you are observing in the stock market. Investors see 2% drop in real growth as a result of the energy shortage, which means a drop of about 15% in corporate profits—they get out of the market and invest in something else.

The remedy is decisive action. We can't dilly. We must spell it out clearly to the people so they understand, not talk in a dozen tongues. We must head off a catastrophe. Every day we delay, we lose one million barrels that we could be gaining from rationing. A delay of six months means 180 million barrels. We lost 61 million in October and November, and this month we are losing another 31 million dillying.

DAVID BEN-GURION

Mr. KENNEDY. Mr. President, I join the people of Israel and the millions of

Jews and gentiles throughout the world who deeply mourn the passing of David Ben-Gurion.

More than a great leader of his own people, David Ben-Gurion was a permanent symbol to people throughout the world of what people of faith and determination can achieve.

On the 14th day of May 1948 in the museum of Tel Aviv, he read a brief declaration which told the history of the Jewish people, a history of exile, a history of persecution, a history of survival.

When he concluded that proclamation, a proclamation based on the United Nations resolution calling for the establishment of a Jewish State in Israel, the audience recited an ancient Hebrew benediction and then left the museum to face war.

As Abba Eban has written:

Israel was experiencing the joy of birth and fear of death in a single taste; and the physical danger was deepened by political isolation.

David Ben-Gurion led his people in their fight for survival and in their struggle to rebuild the land of Israel. It was an impossible dream but it was a dream that now has lived on for a quarter century. Ben-Gurion said:

In Israel, in order to be a realist you must believe in miracles.

For David Ben-Gurion, there was only one miracle still left undone, the miracle of peace. He believed that the future of Israel could be based only on peace with and respect for its Arab neighbors. He led the nation of Israel as prime minister in its war of independence, and in the first 15 years of its existence.

But he believed that its future rested on peace and he worked in behalf of that goal. He was a great leader and we mourn his passing.

I ask unanimous consent that the aforementioned declaration of Israel's independence be printed in the RECORD.

There being no objection, the declaration was ordered to be printed in the RECORD, as follows:

DECLARATION OF ISRAEL'S INDEPENDENCE

Eretz-Israel (the Land of Israel), was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped. Here they first attained to statehood, created cultural values of national and universal significance and gave to the world the eternal Book of Books.

After being forcibly exiled from their land, the people kept faith with it throughout their Dispersion and never ceased to pray and hope for their return to it and for the restoration in it of their political freedom.

Impelled by this historic and traditional attachment, Jews strove in every successive generation to re-establish themselves in their ancient homeland. In recent decades they returned in their masses. Pioneers, *ma'apilim* [immigrants coming to Israel in defiance of restrictive regulations], and defenders, they made deserts bloom, revived the Hebrew language, built villages and towns, and created a thriving community, controlling its own economy and culture, loving peace but knowing how to defend itself, bringing the blessings of progress to all the country's inhabitants, and aspiring toward independent nationhood.

In the year 5657 (1897), at the summons of

the spiritual father of the Jewish State, Theodor Herzl, the First Zionist Congress convened and proclaimed the right of the Jewish people to national rebirth in its own country.

This right was recognized in the Balfour Declaration of the 2nd November, 1917, and reaffirmed in the Mandate of the League of Nations which, in particular, gave international sanctions to the historic connection between the Jewish people and Eretz-Israel and to the right of the Jewish people to rebuild its National Home.

The catastrophe which recently befell the Jewish people—the massacre of millions of Jews in Europe—was another clear demonstration of the urgency of solving the problem of its homelessness by re-establishing in Eretz-Israel the Jewish State, which would open the gates of the homeland wide to every Jew and confer upon the Jewish people the status of a fully-privileged member of the comity of nations.

Survivors of the Nazi Holocaust in Europe, as well as Jews from other parts of the world, continued to migrate to Eretz-Israel, undaunted by difficulties, restrictions and dangers, and never ceased to assert their right to a life of dignity, freedom and honest toil in their national homeland.

In the Second World War, the Jewish community of this country contributed its full share to the struggle of the freedom- and peace-loving nations against the forces of Nazi wickedness and, by the blood of its soldiers and its war effort, gained the right to be reckoned among the peoples who founded the United Nations.

On the 29th November, 1947, the United Nations General Assembly passed a resolution calling for the establishment of a Jewish State in Eretz-Israel; the General Assembly required the inhabitants of Eretz-Israel to take such steps as were necessary on their part for the implementation of that resolution. This recognition by the United Nations of the right of the Jewish people to establish their State is irrevocable.

This right is the natural right of the Jewish people to be masters of their own fate, like all other nations, in their own sovereign State.

Accordingly we, Members of the People's Council, representatives of the Jewish Community of Eretz-Israel and of the Zionist movement, are here assembled on the day of the termination of the British Mandate over Eretz-Israel and, by virtue of our natural and historic right and on the strength of the resolution of the United Nations General Assembly, hereby declare the establishment of a Jewish State in Eretz-Israel, to be known as the State of Israel.

We declare that, with effect from the movement of the termination of the Mandate, being tonight, the eve of Sabbath, the 6th Iyar, 5708 (15th May, 1948), until the establishment of the elected, regular authorities of the State in accordance with the Constitution which shall be adopted by the Elected Constituent Assembly not later than the 1st October, 1948, the People's Council shall act as a Provisional Council of State, and its executive organ, the People's Administration, shall be the Provisional Government of the Jewish State, to be called "Israel."

The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race, or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations.

The State of Israel is prepared to cooperate with the agencies and representatives of the United Nations in implementing the resolution of the General Assembly of the 29th November, 1947, and will take steps to bring about the economic union of the whole of Eretz-Israel.

We appeal to the United Nations to assist the Jewish people in the building-up of its State and to receive the State of Israel into the comity of nations.

We appeal—in the very midst of the onslaught launched against us now for months—to the Arab inhabitants of the State of Israel to preserve peace and participate in the upbuilding of the State on the basis of full and equal citizenship and due representation in all its provisional and permanent institutions.

We extend our hand to all neighboring States and their peoples in an offer of peace and good neighborliness, and appeal to them to establish bonds of cooperation and mutual help with the sovereign Jewish people settled in its own land. The State of Israel is prepared to do its share in common effort for the advancement of the entire Middle East.

We appeal to the Jewish people throughout the Diaspora to rally round the Jews of Eretz-Israel in the tasks of immigration and upbuilding and to stand by them in the great struggle for the realization of the age-old dream—the redemption of Israel.

Placing our trust in the Almighty, we affirm our signatures to this proclamation at this session of the provisional Council of State, on the soil of the homeland, in the city of Tel-Aviv, on this Sabbath Eve, the 5th day of Iyar, 5708 (14th May, 1948).

David Ben Gurion, Daniel Auster, Mordekhai Bentov, Yuczhak Ben Zvi, Eliyahu Berligne, Fritz Bernstein, Rabbi Wolf Gold, Meir Grabovsky, Yitzhak Gruenbaum, Dr. Abraham Granovsky, Eliyahu Dobkin, Meir Wilner Kouvner, Zerach Warbafrig, Herzl Vardi, Rachel Cohen, Rabbi Kalman Kahana, Saadia Kobashi, Rabbi Yitzhak Meir Levin, Meir David Loewenstein, Zvi Luria, Golda Myerson, Nachum Nir, Zvi Segal, Rabbi Yehuda Leib.

Hachohen Fishman, David Zvi Pinkas, Abaron Zisling, Moshe Kolodny, Eliezer Kaplan, Abraham Katznelson, Felix Rosenbluth, David Remez, Berli Repetur, Mordekhai Shattner, Ben Zion Sternberg, Bekhor Shitreet, Moshe Shapira, Moshe Shertok.

THE CASE FOR IMPEACHMENT

Mr. McGOVERN. Mr. President, the editors of the Progressive magazine have made a compelling case for the impeachment of Mr. Nixon in the December 1973 issue of that great magazine.

I am more and more convinced that public respect for constitutional government and the rule of law requires that the Congress carefully investigate and then judge the serious charges made against this incredible administration. We owe it to the public to clear the air surrounding the network of scandals that have come to be known as Watergate.

I ask unanimous consent that the articles from the Progressive be printed at this point in the RECORD:

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Progressive magazine, December 1973]

A CALL TO ACTION

Crisis. The word has been overworked by all of us, and particularly by those engaged in reporting, analyzing, and interpreting the

news. We have been recording monthly, weekly, daily crises for longer than we care to remember—foreign and domestic crises, military and political crises, economic, moral, and cultural crises. A headlined crisis no longer generates alarm, or even profound concern. Ho hum another crisis. . . .

But the crisis that grips America today is of another, higher magnitude—one that deserves, perhaps, a new term that has not been eroded by abuse. It swirls, of course, around the person of the President of the United States, but it impinges on every facet of the national life and character. We are confronted, suddenly and dramatically, with fundamental questions about our national community—questions that demand swift and decisive answers.

Are we prepared, after almost 200 years, to abandon our experiment—intermittently successful but always hopeful—in enlightened self-government? Will we permit our highest and most powerful office—an office whose occupant can literally decide the future and even the survival of the nation and the world—to remain in the hands of a man who has, in the words of the American Civil Liberties Union, "made one thing perfectly clear: He will function above the law whenever he can get away with it"? Will we refrain because of our timidity or sheer inertia, from availing ourselves of the remedies provided by the Constitution of the United States for precisely such an emergency?

Three years remain in Richard M. Nixon's second Presidential term—time enough for him to compound and render irreversible the catastrophic damage he has already done. It is understandable that the President may feel that if he can survive in office for those three years, he will have achieved a measure of vindication. But his vindication will be our indictment and conviction. If we, the American people, knowing what we now know about this President and his Administration, permit him to serve out his term, we will stand condemned in history for the grave offense of murdering the American dream.

These pages go to press amidst a chorus of demands for Mr. Nixon's resignation. The demands emanate not only from Mr. Nixon's long-standing critics—his "enemies," as he would doubtless style them—but from many who were, until recently, among his most enthusiastic supporters. The editors of Time, in the first editorial of the magazine's fifty-year history—at least the first so labeled—called on him to "give up the Presidency rather than do further damage to the country." The same suggestion has been advanced by newspapers which, only a little more than a year ago, were unreservedly advocating his re-election and which, only months ago, were minimizing the gravity of the Watergate disclosures; by Republican politicians who fear, not without justification, that the President is now an intolerable burden to their party; by businessmen who no longer can vest their confidence in Mr. Nixon as the chosen instrument of corporate prosperity.

Mr. Nixon would derive some obvious benefits if he were to heed this advice and relinquish his office. Unlike his recently departed Vice President, Spiro T. Agnew, he would not have to couple his resignation with a guilty plea to any crime. Like Mr. Agnew, he could continue to proclaim his innocence—and to denounce his "enemies"—in perpetuity. He has always relished the role of victim, and he could carry it to oblivion.

At the same time, the Congress would be spared from exercising a responsibility which it clearly does not welcome—the responsibility of impeaching the President of the United States. And the American people, the people who only a year ago gave the Presi-

dent an unprecedented mandate and whose disenchantment has now reached unprecedented depths, could breathe a deep sigh and go about the business of restoring a measure of order and hope to their national affairs.

But the decision to resign is, ultimately, the President's alone to make, and the word from the White House at this writing is that he will not be moved (or removed). He has "no intention whatever of walking away from the job I was elected to do," he told the nation on November 7.

It is our judgment, and we believe it is the American people's judgment, that the job he has done is enough. Until and unless the President changes his mind about resigning, the decision to resolve the crisis that grips the nation will be ours to make—for only by exerting immense and unremitting pressure can we convince the Congress that it must discharge its constitutional responsibility. Public opinion has already persuaded some legislators to abandon their customary vacillating stance. Public opinion, forcefully applied, can move the requisite number of Representatives to embark on the process of impeachment.

The first order of business confronting Congress is to fill the vacancy in the Vice Presidency. Mr. Nixon's designee, Representative Gerald R. Ford of Michigan, would hardly be our first (or thousandth) choice; he is, in our view, unsuited intellectually and politically to hold the nation's highest office. But given the choice—and it is the choice we are given—between mediocrity (Mr. Ford) and moral disgrace (Mr. Nixon), we have no difficulty choosing the former. America has muddled through with mediocre leadership before, but it cannot go on much longer with leadership that is morally bankrupt.

Once a Vice President has been installed, the "engine of impeachment"—James Madison's term—can be set in motion. It is an engine that the leaders of the House and Senate clearly would prefer not to start, but it can be ignited by any member of the House of Representatives who chooses to take the floor and declare: "Mr. Speaker, I rise to a question of constitutional privilege. . . . I impeach Richard M. Nixon, President of the United States, for high crimes and misdemeanors." Citing only the facts that have already come to light, that have for the most part been verified, this member of the House can invite his colleagues to do their constitutional duty by considering the charges against the President in

A BILL OF IMPEACHMENT

I. Richard M. Nixon, President of the United States, through his personal acts and those of his appointees and aides, has fostered, tolerated, and attempted to conceal the worst political scandals in this nation's history, thereby paralyzing the Government, inviting the contempt of the American people, and casting discredit on our country and its leadership throughout the world.

II. He is and must be held accountable for the crimes committed by many of his subordinates, for it is his responsibility, as Madison observed, "to superintend their conduct so as to check their excesses." If he was aware of their offenses, he is criminally culpable; if he was unaware, he is criminally inept.

III. He has attained and retained the high office he now holds through the use of illegal means, to wit: His agents have extracted secret and unlawful campaign contributions from various special interests in return for pledges of favorable government action in their behalf; they have authorized and commissioned snoopers and second-story men, styled "plumbers," to burglarize and spy on his political opponents, in violation of the common criminal statutes; they have hired saboteurs to employ various "dirty tricks" to disrupt a political campaign.

IV. He has attempted to undermine, circumvent, or annul the guarantees of the Bill of Rights—particularly the rights to privacy, freedom of speech, and freedom of the press—by: mounting an unprecedented campaign of harassment and vilification against the media of news and information; employing illegal wiretaps to spy on journalists and critics of his Administration; encouraging his aides to devise means of intimidating the media by use of governmental powers; embarking on political trials designed to silence those who dissented from his policies.

V. He has arrogated to himself powers not conferred by the Constitution, or powers expressly reserved to Congress, to wit: He has secretly, illegally, and deceptively ordered the bombing of a nation—Cambodia—without the knowledge or consent of the American people and their elected representatives; he has unlawfully impounded Federal funds totaling many millions of dollars that were duly appropriated by Congress in legislation he himself had signed; he has invoked a nebulous and dubious doctrine of "executive privilege" to withhold from the people information about the people's business.

VI. He has employed fraudulent schemes to muster—or create an appearance of—public support for his Administration's major policies, especially with respect to the unlawful invasion and bombing of Cambodia. These schemes have involved the placement of newspaper advertisements concocted in the White House, the generation of inspired letters and telegrams of support, and the manipulation of public opinion polls.

VII. He and his associates have conspired in sundry schemes to obstruct justice by: attempting to withhold evidence in criminal cases pertaining to the Watergate Affair; dismissing the Special Prosecutor, Archibald Cox; when he proved determined to do his job; tendering bribes to defendants and witnesses to induce them to remain silent or offer perjured testimony; persuading the former director of the FBI to destroy evidence; invoking "non-existing conflicts with CIA operations" to thwart an FBI inquiry; attempting to influence the judge in the Pentagon Papers trial; ordering the Attorney General not to press a series of antitrust actions against the International Telephone and Telegraph Corporation.

VIII. He has subverted the integrity of various Federal agencies by sanctioning efforts to: bring about a reversal of the Agriculture Department's policy on dairy price supports to accommodate major campaign contributors; involve the CIA and the FBI in unlawful operations associated with the operations of the "plumbers;" exert pressure on independent regulatory agencies to hand down decisions favorable to his friends and supporters; employ the Internal Revenue Service to punish his "enemies."

IX. He has conducted his personal affairs in a manner that directly contravenes the traditional Presidential obligation to demonstrate "moral leadership," to wit: He has used substantial amounts of the taxpayers' money to pay for certain improvements and maintenance of his private homes—expenditures that can in no way be related to secu-

rity requirements or any other public purpose; he has taken advantage of every tax loophole permitted by law—and some of doubtful legality—to diminish his own tax obligations; he has entered into questionable arrangements with his friends to acquire large personal property holdings at minimal cost to himself; he has publicly and emphatically defended one of these friends, G. C. (Bebe) Rebozo, at a time when various Federal agencies were conducting supposedly impartial investigations into his financial affairs.

X. He has attempted to deceive the American people with respect to virtually every particular cited in this Bill of Impeachment, by withholding information and evidence; by misstating the facts when they could no longer be totally suppressed; by constantly changing his version of the facts, so that the people could no longer place any credibility whatever in statements emanating from the Chief Executive of their Government, to the point where it now seems doubtful that he would be believed even if he were to begin, miraculously, to tell the truth.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, I move that the Senate stand in adjournment until the hour of 12 o'clock tomorrow.

Mr. PASTORE. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? [Putting the question.]

There is a sufficient second. The yeas and nays are ordered.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion to adjourn. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Florida (Mr. CHILES), the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Iowa (Mr. HUGHES), the Senator from Arkansas (Mr. McCLELLAN), the Senator from Wyoming (Mr. McGEE), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Alaska (Mr. GRAVEL) are necessarily absent.

I also announce that the Senator from Missouri (Mr. SYMINGTON) is absent because of illness.

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Florida (Mr. GURNEY), the Senator from New York (Mr. JAVITS), the Senator from Ohio (Mr. SAXBE), and the Senator from Virginia (Mr. WILLIAM L. SCOTT) are necessarily absent.

Also, the Senator from Oregon (Mr.

HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Illinois (Mr. PERCY), the Senator from Ohio (Mr. TAFT), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

The Senator from New Hampshire (Mr. COTTON) is absent because of illness in his family.

The Senator from Idaho (Mr. McCURE) and the Senator from Oregon (Mr. PACKWOOD) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) is absent by leave of the Senate on official business.

If present and voting, the Senator from Oregon (Mr. HATFIELD), the Senator from New York (Mr. JAVITS), and the Senator from Illinois (Mr. PERCY) would each vote "yea."

The yeas and nays resulted—yeas 78, nays 0, as follows:

[No. 547 Leg.]

YEAS—78

Abourezk	Dominick	Mondale
Aiken	Eastland	Montoya
Allen	Ervin	Moss
Bartlett	Fannin	Muskie
Bayh	Fong	Nelson
Beall	Gravel	Nunn
Bellmon	Griffin	Pastore
Bennett	Hansen	Pell
Bentsen	Hart	Proxmire
Bible	Hartke	Ribicoff
Biden	Haskell	Roth
Brock	Hathaway	Schweiker
Brooke	Helms	Scott, Hugh
Buckley	Hollings	Sparkman
Burdick	Hruska	Stafford
Byrd	Huddleston	Stennis
Harry F., Jr.	Humphrey	Stevens
Byrd, Robert C.	Inouye	Stevenson
Cannon	Jackson	Talmadge
Case	Johnston	Thurmond
Church	Kennedy	Tower
Clark	Long	Tunney
Cook	Magnuson	Welcker
Cranston	Mansfield	Williams
Curtis	McGovern	Young
Dole	McIntyre	
Domenici	Metcalf	

NAYS—0

NOT VOTING—22

Baker	Hughes	Percy
Chiles	Javits	Randolph
Cotton	Mathias	Saxbe
Eagleton	McClellan	Scott,
Fulbright	McClure	William L.
Goldwater	McGee	Symington
Gurney	Packwood	Taft
Hatfield	Pearson	

The ACTING PRESIDENT pro tempore (Mr. Moss). On this vote there are 78 yeas and 0 nays. The motion to adjourn having been agreed to, the Senate stands in adjournment until 12 o'clock tomorrow.

Thereupon, at 11:58 a.m., the Senate adjourned until Monday, December 3, 1973, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

TAX DEDUCTIONS FOR ARTISTS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. BRADEMAS. Mr. Speaker, in 1969 Congress passed legislation which effectively eliminated tax deductions which

could be taken by artists and authors for contributions of their original works. This change in the tax law has resulted in the sharp curtailment of contributions of literary and artistic works to museums, libraries, and universities.

Mr. Rubin L. Gorewitz of New York City, in an article in "Art in America," discusses the impact of this tax law change and compares three bills which have been introduced in the House to restore tax deductions for artists. Mr.

Gorewitz observes, by way of illustration, that the 1969 legislation resulted in the loss to the Library of Congress of the collected works of composer Igor Stravinsky, valued at \$3.5 million.

Mr. Speaker, I insert at this point in the RECORD the text of this article:

ARTISTS/IRS: A MODEST PROPOSAL

(By Rubin L. Gorewitz)

In 1969 Congress passed legislation that has significantly affected artists and art

institutions throughout the country. Effective January 1, 1970, the Internal Revenue Code was amended so that artists, among others, could no longer deduct from their income tax the full value of their own works when contributed to tax-exempt organizations. While gifts by collectors are still deductible at the fair market value of the work the artist who contributes his or her work of art and deduct only the actual cost of the work—paint, canvas, etc. This change in the tax law was highly discriminatory in that it singled out one small group of taxpayers—artists. The resulting increase in tax revenues was extremely insignificant.

The new law states that any individual or business will benefit only to the extent of the cost of the donation rather than, as before, the fair market sales price. The point, however, is that costs of items differ substantially. An auto manufacturer, for instance, may deduct all his costs, including labor, materials overhead, etc. A creative artist, however now may deduct only his out-of-pocket expenses, with no allowance made for his own labor—since he can't pay himself a taxable deductible salary.

At present a full value contribution is received after the artist's death, when his heirs may deduct the sales price of the contributed object. Any saving the artist would have realized in his lifetime will be realized after his death. So Internal Revenue doesn't actually receive more taxes, but merely defers the dates when the tax benefit is received. If the artist were granted this benefit when alive, it would enable him to practice his profession more fully with no adverse tax consequences to Internal Revenue.

In order to encourage more contributions, the Tax Reform Act of 1969 increased allowable deductions from 30 percent to 50 percent of the donor's adjusted gross income, a clause which has no bearing on the artist's particular situation. Since it is the worthwhile intent of the government to encourage contributions to tax-exempt foundations, it is perhaps an oversight for Congress to have introduced a tax provision that discourages those made by artists. Stravinsky, for instance, put his own manuscripts on the market, though he had intended to give them to the Library of Congress. The \$3.5-million collection, if given to the Library, would have been deductible only to the value of paper and ink.

At present there are three tax bills pending in the House Ways and Means Committee, all intended to ease this situation. The most liberal (H.R. 2151) has been introduced by Congressman Ogden Reid (D-N.Y.); it reinstates the old law without removing any of the inequities. The most conservative, introduced by Congressman Wilbur Mills (D-Ark.), is H.R. 3152; it would allow a deduction of only 50 percent of the art work's fair market value and then only if the recipient of the contribution submits a written statement that "the donated property represents material of historical or artistic significance, and the use by the donee will be related to the purpose or function constituting the basis for its exemption."

The compromise version (H.R. 6764), submitted by Congressman John Brademas (D-Ind.), attempts to eliminate the inequities of the previous law. Basically, the bill allows the artist to deduct 75 percent of the fair market value of the contribution *only* if the artist's gross income from the sale of his works is equal to the amount contributed. For example, if an artist has a gross income of \$10,000 from the sale of his art works, he may then contribute up to \$10,000 in art works.

The Brademas bill, like the Mills bill, also requires a written statement from the recipient. The Brademas bill, however, prohibits contributions by hobbyists—people who do not earn any income as artists, but who make deductions on their tax return for contributed works. Despite the fact that this would

have ranked Van Gogh as a hobbyist, it seems a reasonable way of separating the amateur from the professional.

Both Mills' and Brademas' bills prohibit any public officeholder from contributing "any letter, memorandum or similar property by or for an individual while he held an office under the government of the United States or any state or political subdivision thereof, if the writing, preparation or production of such property was related to, or arose out of, the performance of the duties of such office." This directly relates to one of the reasons the original law was changed in the first place. Contributions made by President Johnson to his library in Texas, and by President Nixon to the National Archives in 1969, afforded considerable tax relief for both presidents—a quarter of a million dollars in President Nixon's case.

A DANGER IN PEACE

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. PICKLE. Mr. Speaker, in a time of continual crisis, often only the front page item gets enough attention for action. The energy crisis is a case in point.

Two wise editorials in a recent *Forbes* magazine trace the early warnings of the crisis, the national distraction to other matters, and the explosion of the energy issue into the front page slot because of war.

The editorials also worry about our fate should we neglect to get our energy house in order before the next crisis knocks on the door and steals the thunder. It is a worry I share.

I would like to reprint these editorials at this time.

The editorials follow:

OIL IS NOT WELL

A little over two years ago *Forbes* (Aug. 1, 1971) foresaw many of the energy and raw materials shortages that are making headlines today. The article, sharply written by Senior Editor James Cook, didn't say that the Arabs would precipitate a major crisis by shutting off the oil. But it did say that this could happen. "The hand on the oil pump," we warned, "can be the hand that strangles our economy."

We weren't the only ones to see what was coming. The press and the dinner-speaker circuits were full of such warnings.

What happened after that, after the clarification call had been sounded and the public aroused? Well, nothing happened. Nothing happened because the next week and the next month there were other alarms. The environmental crisis and the economic crisis and the war crisis and the drug crisis. We tossed and turned and worried about a lot of things other than energy. In 1971 we worried about airline hijacking, the Pentagon papers, President Nixon's Phase I price freeze and the first dollar devaluation.

We spent 1972 preoccupied with the mining of Haiphong harbor, the sinking dollar, our polluted environment and Watergate. Some of us worried about Nixon staying in power, but a majority of us shuddered at the thought of a President McGovern.

And this year has been devoted to more Watergate and political scandal, leading up to the resignation of the Vice President.

What happened to the energy crisis from 1971 to the day King Faisal turned off the oil faucet? It landed in the back of your newspaper, near the corset ads and the steam-

ship schedules. It took a war to bring it back to the front page.

The problem, it seems, is that the world is spinning too fast these days. Anything that isn't nailed down in our consciousness just flies away. Alvin Toffler dubbed the phenomenon future shock—"the dizzying disorientation" caused by accelerating change.

This then is the main problem: How do we all assure that our critical energy problem isn't shelved again? "My fear," says energy expert Dr. Bruce Netschert of the National Economic Research Associates, "is that the Arabs will lift the oil embargo soon and the public will forget the problem and go back to normal. No one wants to face the fact that we are critically vulnerable on energy. I feel the public will have to be forced to face the problem."

We're trying to do our share of "forcing" the issue.

THE GOAL IS SELF-SUFFICIENCY—IN SOME WAYS WE'LL BE BETTER OFF IF THE ENERGY CRISIS DOESN'T GO AWAY

A good many thoughtful Americans are saying privately that they hope the Arabs don't let the U.S. off the oil hook, at least not soon. For if they ease up soon, then the U.S. public may settle back and again luxuriate in the illusion of plentiful oil—until the next time the U.S. or its friends displease the Arab world.

President Nixon says we can be self-sufficient again by 1980. But achieving that goal depends on many things. Such as American willingness to spend at least \$40 billion in tax money and business profits for research and development. A willingness to pay considerably higher prices to finance the horrendous costs of coal gasification, drilling on the continental shelf, and extracting oil from shale and tar sand. It also depends on a spirit of compromise on ecology and pollution.

The dreadful alternative is a more lopsided dependence on Arab oil.

It took a long time for the U.S. to become dependent. Getting self-sufficient won't be easy, cheap or fast. But it will be one of the smartest things this nation has ever done. How did we get into this fix? It's a long story.

The Federal Government, way back in 1954, slapped on rock-bottom price limits on natural gas which assured low utility rates and runaway demand, while discouraging exploration for fresh supplies. Then, as oil became harder to find at home, domestic drilling skidded to a 21-year low in 1971.

At the same time, the Government retarded experimentation on synthetic fuels—such as gas from coal, oil from shale and electricity from sunlight. The sparse research dollars went toward the long-term solution of nuclear power. Russell Train, who is administrator of the Environmental Protection Agency, recalls: "Time and again I tried to convince the Budget Bureau that R&D dollars were vital for coal gasification and so on. Time and again, they said: 'Forget it, the cost benefit isn't good.'"

As this indicates, our Government hasn't had a cohesive energy policy. It still doesn't.

The oil industry deserves plenty of blame. Most of it was mesmerized by that cheap Middle Eastern oil. "Be nice to the Arabs," it pleaded. But how nice? To the point of allowing Arab armies to sweep over a weakened Israel? And who was to be certain that a reasonable man like King Faisal might not one day be replaced by a wild man like Colonel Qaddafi?

Oil expert M. A. Adelman claims that the multinational oil companies have become tax collectors for the Mideast producing nations.

The point is that the Arabs have every right to use their economic power. But remember, their interests and ours will not always coincide.

At the same time, most majors also turned their backs on the potential of high-priced but domestic-made synthetic fuels. In all, the oil industry devotes a measly 0.07% of its \$80 billion in sales to R&D—that's all R&D—plus only 2% to worldwide exploration and drilling.

What's more, 23 of the largest oil companies own 10% of our coal reserves and 50% of our uranium—some of the very resources that could be converted to clean energy.

Chris Welles, author of a controversial book on oil shale, says: "For years the oil industry has retarded oil shale experimentation for fear that an independent and competitive energy industry would spring up and undercut the conventional oil business."

The oil companies' response is rather lame. In effect, they want profit guarantees before they'll search for oil at home. They are on solid ground when they blame some of the shortage on politicians and overzealous environmentalists.

Now we have a name for it: the energy crisis. Actually, it has been with us all along. It will remain a crisis as long as the U.S. is dependent on outside sources for something as vital as energy fuels.

POW'S—DON'T LET THEM BE FORGOTTEN

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. BURKE of Massachusetts. Mr. Speaker, in recent months the American people have had to cope with many confusing and chaotic problems and events. Many Americans have become disillusioned with the leadership of our country. The war in the Middle East has dampened our vision of universal freedom for all mankind. And now, we as Americans, are facing what may be the crisis of our lives—the critical need to conserve and protect our precious natural resources. These issues have been the forefront of public attention in past months, and rightfully so—but as a result many equally important issues have been "side tracked" and ignored by many.

I would now like to take this opportunity to bring to the attention of my colleagues once again the all too often ignored plight of our men still missing in Southeast Asia. Many Americans have forgotten that there are still 1,200 men missing in action in Southeast Asia—men who served with bravery and distinction when called upon by their country—men who now seem to have been forgotten. This greatly disturbs me. The war, for these men, and for their families and loved ones, still continues day in and day out. Imagine, if you can, what it must be like living each day while still not knowing what has happened to one's brother, son, or husband. Imagine the torment of trying to resolve things in one's own mind while not knowing what has happened to a loved one—and the disillusionment of trying to accept the fact that one may never really ever know.

These are disturbing thoughts—thoughts that many would probably rather hide and forget. But the fact remains, the men who served our country in Southeast Asia and who are still miss-

ing in action are still alive in the hearts of many. Let us constantly remind ourselves of this fact, and let all make a dedicated commitment to ourselves and to the American people we represent, that we will do all in our power to find our missing men and hopefully help to obtain a speedy reunion with their loved ones.

On Sunday, November 4, 1973, the city of Quincy, Mass., dedicated a tree in honor of Air Force Capt. Charles Bifolchi of Quincy who is missing in action in Southeast Asia. This type of a memorial is, I believe, a fitting reminder of what freedom is, for as a tree struggles to grow, so does freedom. If a tree does not struggle, it will die. So, too, will freedom.

So let us remind ourselves that, while we are all concerned with the problems which we perceive as being more immediate, the struggle of our men missing in action to achieve their freedom still continues. Such a struggle is no less immediate than some of the other problems we are currently facing, for the struggle to be free lies at the very heart of our national heritage. If such a struggle is forgotten, we will lose all that we have.

THE LATE HONORABLE TOM PELLY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 29, 1973

Mr. MATSUNAGA. Mr. Speaker, I wish to join in this tribute today to the memory of Thomas M. Pelly, whose passing has left me shocked and saddened. He was a respected colleague and a dear friend. He brought to the Congress long cherished principles of unfaltering integrity and an uncanny ability to judge which issues would be of importance to future generations. Tom Pelly was instrumental in shaping legislation within the areas of conservation, maritime, and fisheries. I often relied on his astute analysis of measures in these and other areas.

Prior to retirement last year, he served as the ranking minority member of the Fisheries and Wildlife Conservation Subcommittee of the Merchant Marine and Fisheries Committee. He was recognized as an authority on the work of the Science and Astronautics Committee.

As Tom's colleague for over a decade, I at times found him in amiable disagreement with me on how best to approach some of the critical problems facing our Nation. But I always had great admiration for the depth of his integrity and I knew that his views were formulated only after careful study and deliberation.

Before coming to this Chamber, Tom served as president of the chamber of commerce in Seattle and as a director of both a local bank and an insurance company. In spare moments he managed to take a leading role in many civic organizations. Tom had always chosen the role of leadership for the good of his community, and later in his congressional career employed his leadership for the good of this Nation.

My deepest sympathy is extended to Tom's gracious wife, Mary and to their two children and their families. Tom Pelly's illustrious life will certainly serve as a source of family pride for future generations.

In the midst of sadness on this day, one ray of joy does penetrate through: That the memory of Tom Pelly, the man and his countless accomplishments, will be an inspiration to those of us who knew him.

WHY SOME PRICES SHOULD RISE

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. ROUSSELOT. Mr. Speaker, earlier this week I submitted an article from the Wall Street Journal for the Members' attention entitled "Rationing is Irrational." Today, I am continuing my efforts to convince my colleagues that the only solution to encouraging the production of the vital commodities that are in short supply in our domestic economy is to repeal the so-called Economic Stabilization Act, and allow the free enterprise system to work.

No doubt one of the most critical shortages we have encountered is in our supply of fuel. In an article which appeared in the November 19, 1973, issue of Newsweek, Dr. Milton Friedman, a leading monetarist, supports the only rational approach to the fuel crisis.

The most effective way to cut consumption and encourage production is simply to let the prices of oil products rise to whatever level it takes to clear the market. The higher prices would give each of the 210 million residents of the U.S. a direct incentive to economize on oil, to find substitutes for oil, to increase the supply of oil.

Mr. Speaker, today I met with local officials from three suburban Los Angeles cities—Burbank, Glendale, and Pasadena. These officials have been advised by their current suppliers that they will no longer be furnished with low-sulfur fuel oil after this year. This residual fuel is used to operate the powerplants for these cities. It is clear to me that the controls have not encouraged the production of fuel, and allocations will not result in increased production. Production incentive is rooted in a free market economy.

I urge my colleagues to carefully study Dr. Friedman's following article with the hope that we can unite now to repeal ESA, and allow the free market forces to bring us back to being a land of plenty:

WHY SOME PRICES SHOULD RISE (by Milton Friedman)

"When the price of a thing goes up," wrote the British economist Edwin Cannan, in 1915, "a good many people . . . abuse, not the buyers nor the persons who might produce it and do not do so, but the persons who are producing and selling it, and thereby keeping down its price . . . It certainly would appear to be an extraordinary example of the proverbial ingratitude of man when he abuses the farmer who does grow

wheat because other farmers do not . . . But have we not all heard the preacher abuse his congregation because it is so small?"

This ancient article, from which I have taken my title, has been brought to mind by the oil crisis.

Time and again, I have castigated the oil companies for their hypocrisy, for loudly proclaiming their allegiance to free enterprise yet simultaneously undermining free enterprise by seeking and getting special governmental privilege (percentage depletion, prorationing of oil, import quotas, etc.). Yet we shall only hurt ourselves if we let resentment at their past misdeeds interfere with our adopting the most effective way to meet the present problem.

VOLUNTARY COOPERATION

The current oil crisis has not been produced by the oil companies. It is a result of governmental mismanagement exacerbated by the Mideast war. The price of natural gas at the wellhead has been held down for years by government edict. Since Aug. 15, 1971, the price of retail gasoline and of fuel oil has been held down by the successive phases. The result has been to encourage consumption and discourage both current production and the expansion of capacity. It took the Mideast war to bring these evil effects of price-fixing to a boil.

If all Mideast oil is shut off, we shall have to do without some 10 per cent of our present oil supplies. That is no tragedy. It means going back to the rate of consumption of 1970 or 1971—when no one thought we had a catastrophic shortage of fuel.

The most effective way to cut consumption and encourage production is simply to let the prices of oil products rise to whatever level it takes to clear the market. The higher prices would give each of the 210 million residents of the U.S. a direct incentive to economize on oil, to find substitutes for oil, to increase the supply of oil.

How much will the price have to rise? No one can tell. But if consumption must be cut by 10 percent, it is hard to believe the price would have to rise by more than, say, double that percentage. A 20 per cent rise in oil and gasoline prices would not be nice—but consider the alternative.

CHANCE, FAVORITISM, BRIBERY?

The only alternative is exhortation backed by compulsion: artificially low prices accompanied by governmental rationing. This method induces each of us to oppose the general interest rather than to further it. Our separate incentive is to wangle as much as we can from the rationing authorities. And they can have only the crudest criteria to know how to distribute the limited supplies. They have no way to know whose "need" is genuine and whose is artificial—even if we put to one side, as experience warns us we cannot, special influence, corruption and bribery.

Two hundred and ten million persons each with a separate incentive to economize; or 210 million persons dragooned by men with guns to cut down their use of oil—can there be any doubt which is the better system?

But, you will say, rationing by price hurts the poor relative to the rich. What of the poor man with his old jalopy as the only way to get to work? The answer is straightforward. If high oil prices impose special problems on some, let us provide funds to mitigate their problem. Let us not impose compulsion and waste on 95 per cent to avoid special measures for 5 per cent.

Note that what is called for is higher prices for oil products *relative* to other products—not general inflation. Only some prices should rise.

The oil problem offers a particularly clear illustration of how the price system promotes both freedom and efficiency, how it enables millions of us to cooperate voluntarily with one another in our common interest. It brings out equally why the only alternative

to the price system is compulsion and the use of force.

It is a mark of how far we have gone on the road to serfdom that governmental allocation and rationing of oil is the automatic response to the oil crisis. This will not prevent higher prices, which will in fact do the job—but you may be sure that the rationing authorities will take the credit.

RARICK REPORTS TO HIS PEOPLE: AN INTERVIEW WITH JOHN SUMMERS, NATIONAL ASSOCIATION OF BROADCASTERS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. RARICK. Mr. Speaker, in a recently televised interview, I discussed pay TV with Mr. John Summers, counsel for the National Association of Broadcasters. I insert the text of that interview at this point:

YOU'VE A RIGHT TO KNOW: NOVEMBER 7, 1973,
PAY-TV, AN INTERVIEW WITH MR. SUMMERS

Congressman RARICK. Pay television, a broadcast entertainment system whereby individual TV programs are paid for by the viewer watching them, has generated some degree of controversy among TV broadcasters and here in Congress. It's been the subject of several congressional hearings and numerous legislative proposals, as well as many Federal Communications Commission proceedings. We'll discuss pay-TV today, along with free TV, cable TV, to determine how they relate to you as a television viewer, because you've a right to know.

With me on the program today is John Summers, Counsel for the National Association of Broadcasters. Its members represent commercial television and radio stations across our country. Mr. Summers, the NAB has been running full page newspaper ads lately about pay TV. To begin with, I think we might get some definitions straight. What is the difference between over-the-air TV, cable TV, and pay-TV?

Mr. SUMMERS. Well, Congressman, at the risk of oversimplification, I would say first that over-the-air TV is the TV that the public is well familiar with. The television station transmits a signal over the air, and it's received by the home antenna and brings a picture into your living room. Cable TV is a distribution system for retransmitted signals which uses wire connections to the home. In other words, the cable system picks a signal off the air and then distributes it by wire to various homes that subscribe to the cable television system. Now, pay-TV is more of a service. It can be distributed by various means. Two means may be used today. One is the over-the-air method using a scrambled over-the-air transmission which is received by the home TV set via special equipment in the home. The other method is to simply take one of the cable television systems channels and distribute the pay-TV program on that channel. Now, I think that the threat of pay-TV that we're concerned about is the threat using existing cable television systems.

RARICK. Then, under both pay and cable TV, the individual subscriber, the man with the TV set, would still have to pay in order to receive his programs, is that correct?

SUMMERS. That's right; he would.

RARICK. They are almost the same thing, aren't they?

SUMMERS. Well cable and pay-TV are the same thing in some cases, but not in all. In other words, if you subscribe to a cable TV system, you pay a fee every month, which is

called a subscriber fee. Now, if that cable system has a pay-TV channel, then obviously you pay an additional fee every month for the pay-TV services that are offered.

RARICK. Well, I understand that both pay-TV and cable are requesting changes in the FCC regulations. Concerning the programming, can you point out what some of these changes are?

SUMMERS. Yes, without getting too complex, there are FCC rules at the present time which restrict the programs that can be carried by pay-TV or by over-the-air pay-TV. One restriction is on sports programs and another is on movies, feature films. Now, the cable people, without going into those complex rules, want to either relax or do away with those restrictions all together, so that they could in effect, bring to the public for a fee, the same programs, sports or films, that the public now sees for free over free TV.

RARICK. If the FCC agrees to these changes, what effect would they have on the present commercial TV?

SUMMERS. It would have a great effect upon free TV, because it simply wouldn't have the product to offer to the public, and of course, in the long run, the real effect would be on the public itself. I think a good illustration would be the World Series. At the present time, pay-TV could not show the World Series unless it had not been shown on free television for the past two years. Assuming that that rule did not exist, the pay-TV people would be free to bid against the networks for the rights to the World Series. Now, those rights presently cost about 10 million dollars; that's what the networks pay for the rights to bring the public the World Series via free television. There are about 8 million homes today hooked up to cable systems in this country. Now, if the pay-TV people could get just two or three million of those homes to pay for the World Series, say at five dollars for the whole World Series, then they would have enough money right there to outbid the networks for the World Series, and therefore, the World Series would then be taken off free television and would be available only for a fee on pay-TV.

RARICK. I think many Americans find themselves facing the same situation that I occasionally do. We have one day free on a weekend. I found myself last weekend here in Washington with a Sunday to myself, and with eleven television stations in the District of Columbia area, I couldn't find one station that had one program on the entire weekend that I felt was entertaining. In other words, the broadcasters want to tell me what they feel is entertaining, but they very often have no appeal to me as a specific listener. Wouldn't pay-TV then give the viewer additional freedom of choice, to secure his own entertainment?

SUMMERS. Yes, I think it would. And I think I should explain that the National Association of Broadcasters has no objection to pay-TV itself. If pay-TV can offer the viewer something which is not available on free television, some minority taste program such as ballet, opera, Broadway, or what-have-you, then we have no objection to pay-TV at all. What we object to is the capacity of pay-TV to siphon off, if I may use that term, to siphon off from free television those programs that the public now sees on free television.

RARICK. Let me say this, last weekend, if I had eleven television channels I was paying for, I would have cancelled my subscription. I think many times that the people responsible for national TV programming don't realize if they don't deliver programs that keep the people's interest (rather than the officials at the FCC) then people lose all interest in television as a medium of entertainment.

SUMMERS. That's right, and if I could interject something, that's why we are so con-

cerned about this issue, because I think it's been illustrated that the type of programming which has the most appeal for the public is sports and movies. And we're afraid that the pay-TV people will not be concerned about the minority interest type programming you just mentioned that you might be interested in on a particular weekend. We're afraid that they will go after what we call the "mass appeal" programming, the sports and the movies that people now see for free.

RARICK. But of course, people could turn to pay-TV for the, as you say, non-mass-entertainment type programming and then still go back to news and sports on the free TV, could they not? The point I'm trying to make is, if pay-TV doesn't deliver a service, it isn't going to get people to pay for the programming.

SUMMERS. I think that's true.

RARICK. So they will almost have to come up with a programming appeal that will reach the mainstream of American people.

SUMMERS. Well, I would hate to see them come up with that sort of programming at the expense of the public which now sees, the sports and movies for free, and have pay-TV outbid the networks and stations for that programming and end up with a situation where the public has to pay for what it now sees for free.

RARICK. Well, if the public doesn't like what it sees for free, it's really not free. It's costing the public because they have lost a valuable tool of entertainment and relaxation. As I say, I may be different from a lot of people. I travel too much and am too busy, but when I do have a rare chance to watch TV I may not be able to find even one program that is entertaining. We hear complaints from consumer groups about "commercial clutter" on television. Would we also have this commercial clutter and "public service spots" on pay-TV?

SUMMERS. At the present time, the Commission's rules do not allow commercials on pay-TV programs that cable systems carry.

RARICK. They are prohibited then?

SUMMERS. They're prohibited at this time. But I don't think we have any assurance that in the future there will not be commercials on pay-TV programs, and I say this because if the cable pay-TV people are able to siphon off the most popular programs, the sports and the movies, and you suddenly have a market in terms of households viewing these programs—say of eight or ten million people—then I just don't think the advertisers are going to allow that kind of audience to sit there without trying to sell something to them.

RARICK. What about public service announcements? We're seeing more and more here, especially areas on commercial TV.

SUMMERS. I would not assume that there would be public service announcements on pay-TV programs at all.

RARICK. Of course commercial television is required to carry a certain amount of this public service time. This rule comes from the FCC, so we can't really say that it would not be imposed on pay-TV in the future could we?

SUMMERS. No, I guess we couldn't. I wouldn't anticipate that they would carry public service announcements, but you never can be sure when you have a regulated industry.

RARICK. You've indicated that pay-TV is already in existence in some size in the United States. Do you feel that there is definitely a possibility of a growing pay-TV network system in the United States today?

SUMMERS. Oh, I think so. I think we'll have some form of pay-TV for some time to come. I think the question is, what sort of programming will that pay-TV system offer? Will it offer the public something different, something innovative, something that they can't see now on free over-the-air television? Or will it simply duplicate and eventually re-

move from free TV those popular programs, sports and movies, that people now see without charge on free TV?

RARICK. It would also depend a great deal what special legislation Congress gives them or the regulation FCC would see fit to extend to pay-TV then.

SUMMERS. That's right. We would hope that at some point Congress would step in and determine just what form pay-TV is going to take in this country.

RARICK. Well, we thank you very much, Mr. John Summers, Counsel for the National Association of Broadcasters, for being our guest today.

EMBARGO OF EXPORTS OF PETROCHEMICALS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. WALDIE. Mr. Speaker, I want to bring to the attention of the Members of the House, as well as to the American people in general, the severe shortages many American businessmen are now experiencing with certain raw materials, particularly petrochemicals and other byproducts of crude oil.

Of course the recent Arab oil black-mail effort has added to the problem. But even before the recent Arab-Israel conflict began in early October, shortages were being experienced in almost every aspect of industry where petrochemicals are a substantial ingredient of production.

Why has this happened? In the first place, production of petrochemicals and other oil byproducts has for several years lagged far behind consumption; or, to put it another way, we are demanding and using much more petrochemicals than we are producing. Not only has this reduced existing stockpiles and led to shortages, but it has caused prices to skyrocket.

Coming on the heels of shortages and higher prices have been price controls instituted by the Cost-of-Living Council. This, in turn, has led to further shortages as producers understandably prefer to sell their goods overseas, where price controls do not apply. Further, the need for the United States to better its balance-of-trade status in the world economic community has strengthened the desire to continue to export as many goods as possible.

However, Mr. Speaker, I believe it is now time—it may be too late for some American workers already—to rethink our position with regard to permitting exportation of petrochemicals to continue while prices are frozen at their present levels.

In my view, at least two steps must be taken immediately:

First, it is absolutely necessary for the Secretary of Commerce to use whatever authority he has under the Export Administration Act to place an embargo on all petrochemicals and oil byproducts. I have written to the Secretary and asked him to do so and would hope that he will cut through the usual redtape surrounding an embargo procedure.

Second, it is absolutely necessary for the Cost-of-Living Council to quickly amend its price controls regulations on petrochemicals. I have previously called on the Council to take action with respect to other matters and have not been pleased with their responses; nevertheless, I am calling on the Council again, this time to respond quickly to what is becoming a serious situation.

I fully realize that an embargo carries with it problems for the exporters of the country, but in my view the need to keep plants and businesses open and the need to avoid job cutbacks and layoffs is paramount. With regard to the question of the country's balance of trade, I quote from a letter written to me by Martin Stone, who is chairman of the board of Monogram Industries in Los Angeles:

It is particularly shortsighted to applaud the improvement in our balance of trade brought about by rapidly increasing sales of chemicals when at the same time American plants are being shut down and deprived of the opportunity to export not the chemicals themselves but the final end product which would carry a much higher ultimate dollar value.

Mr. Speaker, I would hope that the Secretary of Commerce can act speedily. I would hope that the Cost-of-Living Council will reexamine and revise their price guidelines with regard to petrochemicals immediately. I know that the gears of the Government grind slowly, but it seems to me that we are playing the game under much different rules than we were even 2 short months ago. The times now call for quick and definitive action, for a willingness to abandon time consuming procedures, and for speedy resolution of problems. I would hope that these two agencies can meet this challenge.

Finally, I would urge the Congress to give speedy approval to a bill, H.R. 11410, introduced by my colleague from Connecticut, Congressman SARASIN, which would require the Secretary to place an embargo on petrochemicals immediately.

STATUTORY SPECIAL PROSECUTOR—AN EXECUTIVE APPOINTEE

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. FISH. Mr. Speaker, very soon the House is expected to consider legislation to establish by statute an Office of Special Prosecutor for the Watergate-related cases. Like most Members of Congress, I keenly felt the trauma our Nation experienced following the summary removal of Special Prosecutor Archibald Cox. There is no question but that public confidence in the Special Prosecutor's ability to conduct a thorough and impartial inquiry will be enhanced by the Congress creating a statutory office.

Essential to the credibility and integrity of the Watergate investigations are the powers granted to the Special Prosecutor. He must have the ability to

pursue evidence wherever it may lead and to have made available to him the documents and records he requires. Essential, too, is that the Special Prosecutor have the maximum degree of independence that the Congress can legally prescribe. Without a guarantee against summary dismissal, the American people will not have confidence in his investigation.

The House, like the Senate, is divided over whether the Prosecutor should be an Executive or a Judicial appointee. H.R. 11401, reported out by the House Judiciary Committee, directs the U.S. District Court for the District of Columbia, to appoint a panel of three District judges and empowers the panel to both select the Special Prosecutor and have sole power over his removal. The Dennis substitute vests in the Attorney General appointment of the Special Prosecutor and circumscribes the conditions for removal. The powers granted the Special Prosecutor are identical in both measures. Likewise, both the committee bill and the substitute create a statutory office for a term of 3 years.

Mr. Speaker, along with many colleagues, I originally favored placing the office in the courts, but the drafting of legislation has raised serious constitutional issues. Prosecutorial functions have traditionally been in the Executive and placing the office outside the Executive involves the risk of invalidating indictments should the legislation later be adjudged unconstitutional. Having a court empowered to both appoint and fire the prosecutor would appear to violate fundamental due process. For these reasons, I support the Dennis substitute.

The constitutional issue is whether or not the prosecutorial functions can validly be placed outside the Executive. The enforcement and prosecution of the laws is an executive function. The Supreme Court has consistently ruled that prosecution of offenses against the United States is solely an executive function, stemming from the power vested in the President by article II, section 3 of the Constitution. *Ponzi v. Fessenden*, 258 U.S. 254 (1922); *Springer v. Phillipine Islands*, 277 U.S. 189 (1928). What is being proposed in H.R. 11401 has no precedent in the Federal judicial system and would appear to violate the principle of separation of powers.

H.R. 11401 places in the courts the power of removal of an Executive officer. This conflicts with the intent of *Myers v. United States*, 272 U.S. 52 (1926). *Myers* is a landmark case in constitutional law, which recognizes the principle that a President has the sole power to remove purely Executive officers. The rationale of this case is the President's right to control subordinates responsible for carrying out his obligation to faithfully execute the laws. By placing the appointment power in the Attorney General rather than in the President, the Dennis substitute permits the Congress to severely restrict the possibility of removal of the prosecutor. This approach is consistent with the *Myers* decision and with *U.S. v. Perkins*, 116 U.S. 483 (1886).

Proponents of H.R. 11401 cite *U.S. v.*

Solomon, 216 F. Supp. 835 (1963) as authority for judge-appointed prosecutors. But this is a misreading of the scope of *Solomon*. That case concerned the validity of a Federal statute authorizing a temporary appointment of an U.S. attorney by the chief judge of a U.S. district court, where a vacancy occurs by reason of death or resignation. But unlike H.R. 11401, the U.S. attorney so appointed remained a member of the executive branch, subject to the direction of the Attorney General and subject to replacement and removal by the President at any time.

Mr. Speaker, as in many constitutional issues, there are arguments on both sides. Clearly, however, if we go the route of court-appointed Special Prosecutor, we run the risk that the justice we all seek may be frustrated. The damage to our society if this should occur should give pause to all Members of the House. The Dennis substitute offers a legal means of achieving the needed statutory independence and powers in the office of Special Prosecutor that the American people seek.

THE DRUG LAG

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. ROONEY of Pennsylvania. Mr. Speaker, as a member of the Committee on Interstate and Foreign Commerce, I read with deep concern an article in the October issue of the Reader's Digest which suggests our country is facing a "mounting emergency" in the timely development and introduction of new medical discoveries.

"The Medicines We Need—But Don't Have," written by Walter Ross, makes a disturbing case that our citizens are being deprived, for years in some instances, of safe and effective drugs that are being widely and successfully used in advanced countries abroad.

The fundamental cause, the Digest article asserts, is that this country's regulatory agency, the Food and Drug Administration, has taken "the seedling" of the drug effectiveness amendment that we in Congress enacted in 1962 and "cultivated it into a mighty bureaucratic tree that sprouts regulations and paperwork in all seasons."

This thought-provoking article tells of recent efforts by a group of distinguished American medical scientists led by Dr. Robert Dripps of the University of Pennsylvania to sound the alarm about this disturbing drug lag. I understand Dr. Dripps and his associates have repeatedly expressed their concern to our own distinguished colleague, the gentleman from Florida, chairman of our Subcommittee on Public Health and Environment (Mr. ROGERS). I am reassured that our colleague is contemplating hearings "to examine," as he put it in the Digest article, "ways of safeguarding the public while permitting delivery of

more effective and safe drugs to fight disease."

It is ironic, Mr. Speaker, that Dr. Dripps, who devoted his life to medical science and gave so much of himself in the recent past to the selfless cause of obtaining for Americans "the medicines we need—but do not have," died suddenly at age 61 on October 30 of heart disease. I cannot help but wonder whether his life might have been saved by a drug that was not there in his hour of need. It is my hope that others on the Dripps committee will carry on this good work.

I include the Reader's Digest article by Walter Ross at this point in the RECORD:

THE MEDICINES WE NEED—BUT CAN'T HAVE

(NOTE.—Over the past ten years, a medical crisis has developed that affects the lives and health of all Americans. The crisis stems from the lack in this country of new prescription medications—medications widely used abroad—to treat our most threatening diseases. It involves delays of many years in the introduction of new medical discoveries, as well as a recent sharp decline in the discovery and testing of new and needed drugs.

(What follows is the first detailed report in a national magazine describing this mounting emergency, which a number of medical authorities refer to as the "drug lag.")

(By Walter Ross)

A 33-year-old American woman who had suffered crippling allergic asthma attacks for 15 years found nearly total relief recently through a British prescription medicine called cromolyn sodium. Although available in Britain (where it is the third most widely prescribed remedy) since 1969, and under study in the United States since 1966, the medicine could not be legally prescribed for this patient by her doctor. Since only this medicine helped the woman, her doctor (like many other U.S. doctors) broke the law by asking friends who traveled abroad to smuggle back a supply. This benevolent, but illegal, traffic stopped only in late June 1973, when the U.S. Food and Drug Administration finally approved cromolyn sodium. We were the 55th country in the world to do so.

At least seven new medications for asthma have been introduced in Europe since 1962. Some are effective in some patients, others in other patients. By mid-1973, only two—now including cromolyn sodium—could be prescribed in this country.

For people suffering from high blood pressure and the painful heart ailment called angina, a new kind of drug has come into use in recent years. Known as a "beta-blocker," it blocks the damaging effects on the heart of adrenaline and a related substance, lowering blood pressure and relieving angina. An elderly Rochester, N.Y., woman was recently treated successfully in Great Britain with a beta-blocker called practolol. She could not get it here. The only beta-blocker available in America—propranolol—made her ill.

This is only one example of the lack of new heart drugs in this country. From 1967 through 1971, ten medications to treat irregular heartbeat (arrhythmia) came on the market in Europe; by mid-1973, only one had made it safely to our shores. In all, we have only about six of the 47 new heart and circulatory remedies that were introduced abroad between 1967 and 1971.

A powerful drug (guanoxan) which reduces blood pressure—but also causes liver dysfunction in a great many patients—has been in use in England since 1964. Many British doctors feel the medication is worth the risk of liver problems in patients who do not respond to other treatment, because

these side effects can be reversed, whereas the effects of high blood pressure (hypertension) are not reversible and can be catastrophic. In the United States, tests of this drug had to be suspended when the FDA warned the manufacturer that it was too dangerous.

Although hypertension affects an estimated 23 million Americans, we have not had a single new general-purpose anti-hypertension medicine in this country since 1963. From 1967 through 1971, five such drugs came into European medical practice.

Sounding the Alarm. A great many American doctors are unaware of the drug lag. However, in 1972, 22 leading medical experts—headed by anesthesiologist Dr. Robert D. Dripps and including such renowned specialists as heart surgeon Michael DeBakey, cardiologist Irvine H. Page and pharmacologist Louis Lasagna—compared notes and became alarmed at the extent of the crisis. In a petition to Congressman Paul G. Rogers (D., Fla.), they complained: "The procedures by which new drugs are evaluated and approved for use in this country are causing us to fall behind in this important area of medical science. The system perpetuates a continuing decline in the number of new drugs entering the market and may be depriving the practicing physician of agents beneficial to patient care."

Examples of the drug lag that so provoked the doctors abound. Consider just a few:

A study conducted by Dr. William M. Wardell, a professor at the University of Rochester, of the 82 new medicines adopted in both Britain and the United States between 1962 and 1971 found that more than half were introduced first in Britain—an average of 2.8 years before the FDA permitted them to be sold here. Dr. Wardell also turned up nearly 80 medications approved for prescription in Great Britain during that time, not one of which had made it into the United States, including several drugs that British physicians rate better than anything currently available here.

In 1968, doctors in Italy began using a powerful new antibiotic, called rifampin, to treat patients with tuberculosis. It was not until 1971—after 50 other countries had adopted the drug—that rifampin became available in the United States. It is impossible to estimate what the delay meant for the 119,000 American TB victims under treatment during this time, or for the 17,000 who died of TB. But, according to many papers presented before the American Lung Association, the drug has been proved effective in patients whose TB is resistant to other antibiotics.

An especially promising, very long-acting injectable form of tranquilizer (fluphenazine decanoate) was developed by an American company several years ago to treat schizophrenia, a mental illness which fills half the beds in U.S. mental hospitals. Introduced in England in 1969 it "revolutionized the community care of schizophrenia," according to Dr. W. Linford Rees, professor of psychiatry at the University of London. A study showed that only five percent of patients treated with this drug relapsed as opposed to 45 percent treated by other methods. It was not made available to U.S. schizophrenics until 1973.

Collective Chill. Modern drugs—90 percent of them discovered between 1935 and 1965—have revolutionized the practice of medicine, and added at least ten years to the average life expectancy in developed countries, according to Sir Derrick Dunlop, former chairman of the British Ministry of Health's Committee on the Safety of Drugs. But even as science began unleashing these therapeutic wonders, the potential for harm mounted. In 1937, a U.S. pharmaceutical company decided to put sulfanilamide, a new and useful weapon against strep and other infectious organisms, into syrup form. To

manufacture what became known as "Elixir of Sulfanilamide," a solvent, ethylene glycol, was used without prior tests for toxicity. Ethylene glycol was a poison, and the Elixir killed nearly 100 people.

As a result of this outrage, Congress passed a law in 1938 demanding proof of safety—a giant step forward in drug regulation—before manufacturers could market new medicines.

The next major change in U.S. drug laws did not come until 1962, after the infamous thalidomide incident. During the late 1950s, this new sedative was considered so free of side effects that it was sold in Germany without prescription. But when an American company submitted a New Drug Application (NDA) for thalidomide, a medical officer at the FDA, Dr. Frances Kelsey, noted German reports of nerve inflammation in people who had taken thalidomide for a long time. Dr. Kelsey says she wondered what might happen to the fetus of a pregnant mother taking thalidomide. Since there were no answers available, she held up the application.

Birth defects began showing up among the children of European women who had taken thalidomide (the drug was also available by prescription in England), but it was several years before the defects were connected with the medication. Eventually, over 5000 deformed babies were traced to thalidomide in Germany; nearly 400 in England. In this country, although the drug was widely distributed for testing, only 18 such cases have been found by the FDA.

Dr. Kelsey was hailed as a heroine who had singlehandedly prevented a drug disaster in the United States. Nevertheless, the closeness of tragedy sent a collective chill down American spines. With rare unanimity, Congress passed a tough new law requiring—for the first time anywhere—that a new drug be proved both safe and effective before it is licensed.

Bureaucratic Tree. Sounds wonderful. But the fact is that no medicine can be proved safe for people by testing it in animals. And there is no way of knowing whether or not a medicine will cure a human disease without giving it to a human being. So, in order to enforce an absolute demand with relative means, the FDA took the seedling of the '62 law and cultivated it into a mighty bureaucratic tree that sprouts regulations and paperwork in all seasons. In 1948, for example, Parke, Davis & Co. was able to get a license for its Benlyn Expectorant with a mere 73 pages of facts. In 1968, the same company's application for the anesthetic Ketalar required a truck to haul its 72,200 pages, bound into 167 volumes, to the FDA.

To achieve the mountain of fact on Ketalar, the company had to test it for almost seven years: first in animals; then in healthy people; finally in sick patients—and then wait another two years after the application was filed, before having it approved. Today, an NDA takes an average of 27.5 months to pass through the FDA. Before 1962, it took about six-months. (To clear Ketalar in Britain required only 857 pages and some four months.)

There are three main differences between our system of drug clearance and those of the other countries which demand proof of safety and efficacy. We are later in starting clinical testing of new drugs, for regulatory and industrial reasons. We demand longer periods of investigation—often years longer—and in thousands more patients. These time differences, together with our 27.5-month clearance time, account for the lag between the introduction of new drugs overseas and in the United States. They add several million dollars to the cost of each new drug—a cost passed on to consumers.

Experts conclude that under today's regulations a number of our most important current medications would never have made it

even to the human testing stage, much less to the marketplace. It seems hardly likely that aspirin could pass muster under present rules, since under certain circumstances it causes birth defects in rats and other animals. And if penicillin were being tested today it would not pass its animal trials—with consecutive injections during a few days every guinea pig and hamster in which it is injected dies—and thus penicillin probably could not be tested in people. Says Dr. Wardell: "If even one drug of penicillin's stature has been unjustifiably banished to a company's back shelf, that event will have harmed more people than all the toxicity that has occurred in the history of modern drug development."

Another result of the drug lag is the sharp decline in the discovery and testing of new and needed drugs. In the ten years before the 1962 regulations, the U.S. pharmaceutical industry produced and marketed an average of 43 new medicines a year. Between 1962 and 1970, this figure dropped to 17. In the last five years, the average has fallen to 13. And even while they produce fewer marketable drugs, American drug manufacturers have been spending more and more money on research and development—up from \$212 million in 1960 to \$728 million last year. Before 1962, a drug could be tested and marketed in about two years, at a cost of \$1 to \$2 million. Today the process takes an average of seven years, and may cost as much as \$11 million.

The Choice to Be Made. These are the dimensions of our expanding drug-clearance problem. What is the solution?

For a crisis as many-faceted as this, there is no clear, simple answer. Several large medicine manufacturers refuse to speak on the record, for fear of FDA reprisals. But one industry leader, Dr. Gerald D. Laubach, president of Pfizer, Inc., has said, "To increase the flow of new medications, we should shift some of the FDA's emphasis to surveillance of new drugs in the first years after approval. This would better protect the public, and would give people the benefits of research progress as it occurs."

Says Dr. Lasagna, "You need only a small amount of good clinical work to establish that a drug is effective and reasonably safe. It takes a lot of work, however, to pinpoint safety and efficacy with precision. It seems wasteful to spend years getting more data just so that people can have a spurious sense of confidence."

The FDA told me that "there are no examples of truly important new drugs being delayed in this country solely because of over-regulation or bureaucratic red tape." But individual FDA people apparently disagree. Dr. Henry Simmons, former head of the agency's Bureau of Drugs, said not long ago, "We can keep adding more and more requirements, which are justified scientifically, but we may reach the time when the goose just has no more golden eggs."

C. Joseph Stetler, president of the Pharmaceutical Manufacturers Association, is certain that "the American regulatory maze tends to hinder needed new medications from reaching patients; defenders of the system tend to understate lost patient benefits and overstate the 'safety' achieved through delay." His solutions are administrative: abbreviated NDAs, effective use of advisory panels, upgrading of Bureau of Drugs personnel, hopefully to bring new drug approvals "within the approximate time required in other medically sophisticated countries."

Opinions also vary widely on Capitol Hill. Sen. Gaylord Nelson (D., Wis.) thinks that present laws are inadequate "to protect the American people against poorly tested, unsafe, ineffective, improperly used, monopolistically priced drugs"; he has introduced an 83-page bill to strengthen government regulation. On the other hand, Rep. Paul G. Rog-

ers (D., Fla.), who heads a subcommittee charged with overseeing the FDA, says, "During the past year we have received numerous complaints about new drugs failing to reach the marketplace. We believe that hearings probably will have to be held to examine ways of safeguarding the public while permitting delivery of more effective and safe drugs to fight disease."

Sir Derrick Dunlop told me, "It is doubtful whether rigid laws can suitably be applied to the licensing of medicines, since each one represents an individual problem to be treated by common sense." Americans have long been noted for common sense. Isn't it time we applied this trait in the area of medicines—and admitted that in seeking to be "totally safe" from drugs we have in fact weakened our defenses against disease?

THE CASE FOR THE SAFE SCHOOLS ACT—III

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. BINGHAM. Mr. Speaker, the homecoming parade this year at Los Angeles City's Jefferson High School ended with a shootout in which five students including the homecoming princess, were wounded. In addition, Los Angeles officials confiscated guns from 40 students during 1 recent month. Between September and December of 1972 the Los Angeles County high school system reported 83 cases of weapons possession. The Los Angeles Unified School District reported 299 cases of weapons possession during the same period. In November, 1972 a Los Angeles high school student was shot and killed while on the school grounds.

In January 1973, an 18-year-old was studying quietly in his high school's study hall in St. Louis when an intruder demanded that he give up his new black leather coat. When the youth hesitated, he was shot to death.

In Fort Lauderdale, a teacher died last year as a result of a gunshot wound inflicted by a former student.

There were 16 shooting incidents in Kansas City schools between September 1972 and April 1973. Everett Copeland, security manager for the Kansas City schools has said:

Kids carry guns for different reasons. Some say they have been threatened, some involve extortion attempts. Some kids just say it's a status symbol.

Last February, Terry Aryan of the Associated Press described the surge of students carrying and using guns in and around public schools in the following article:

[From the Los Angeles Times, Feb. 4, 1973]
MORE AND MORE STUDENTS TAKING GUNS INTO THE NATION'S CLASSROOMS
(By Terry Aryan)

Public school officials in cities across the country report a surge in cases of students carrying and using guns in classrooms, corridors and school yards during the last year.

Most incidents occur at inner-city high schools. The weapons are usually cheap, small-caliber hand guns, the so-called "Saturday night specials." Officials relate the

increase to the revival of juvenile gangs in some cities and the persistence of racial tension.

An Associated Press survey indicated the scope of the problem:

There have been 60 gun episodes in Los Angeles schools since September. Shots from a passing car killed a 16-year-old student near Locke High School. The car sped into the school parking lot and three students were later arrested.

Fifteen handguns were confiscated last year in Atlanta schools. A 12-year-old boy, angered when schoolmates chided him for disobeying a traffic signal, got a pistol from home and opened fire on the school playground. He hit no one.

Four high school students, three of them girls, were expelled last month in San Francisco for carrying guns.

School officials in Topeka, Kan., took a gun from a girl who said she needed it for protection.

There were 15 school gun cases in Detroit and four in Seattle during the last year. Since September, 15 incidents have been reported in New York and 15 in Kansas City.

"We have a problem and it is increasing," said Everett Copeland, security manager for Kansas City schools. "Kids carry guns for different reasons. Some say they have been threatened. Some involve extortion attempts. Some kids just say it's a status symbol."

The problem has escalated so rapidly that national statistics are lacking. A few schools now keep records on gun incidents, but comparative figures from past years do not exist. The International Assn. of School Security Directors last year began pushing for uniform reporting procedures that would include such figures.

"There is no question about the increase," said James Kelly, who directs school security seminars for the International Assn. of Chiefs of Police. "There are thousands of cheap guns on the streets. The kids pick them up with ease. These kids have definitely moved out of the zip-gun stage."

School administrators and security officers have responded to the problem in several ways.

Officials in Atlanta are convinced the only real solution is to persuade students they do not need guns. "We try to sell the idea that one does not need to come to school armed," said Asst. Supt. Ed Cook Jr.

Many school districts have doubled or tripled the size of their guard forces. At some Los Angeles schools, only one entrance is opened and a security officer is stationed there. Guards at some New York schools make occasional "pat-down" searches to see if pupils are carrying weapons.

The rash of gun episodes has sharpened the debate over whether school guards should be armed. Officials in Baltimore recently vetoed the request of guards that they be allowed to carry guns. In New York, school guards do not carry guns but in Chicago three-quarters of the schools now have armed guards.

School officials agreed the situation they face reflects the bigger problem of guns in society.

You have kids who see guns at home, who see people carrying guns all the time, and those kids are going to carry guns too, said Van Turner, deputy administrator for school safety in New York.

Security guards in Baltimore recently took a loaded rifle from a girl's locker, but such incidents are rare. Most of the guns seen in schools are short-barreled 22 caliber pistols that cost \$10 to \$20, the "Saturday night specials" police have said play a major role in big-city violence. Importation of such weapons was restricted by the 1968 Gun Control Act, but attempts to regulate domestic production failed last year in Congress.

Racial incidents have triggered gunfire at many schools.

A scuffle broke out in November between

blacks and whites in a corridor at Pontiac Central High School in Pontiac, Mich. Five pupils—four of them white—were wounded in a burst of pistol shots. A 16-year-old black youth later surrendered to police.

In New York, Chicago and Los Angeles, officials said juvenile gang feuds led to several school shootouts.

Last fall's homecoming parade at Jefferson High School in Los Angeles ended in a barrage of gunfire that wounded five pupils. The shooting erupted after three cars loaded with members of a gang, the Acey Deuceys, arrived at the school. Two of those wounded belonged to a rival gang, the Crips. Police said the other victims were bystanders.

How did the shooting affect other pupils? "Students that are never in any hassles are saying they are going to start carrying guns," said Jefferson's student body president, Keith Kertindall. "You don't know who to trust."

The following article reprinted from the April 26, 1973, issue of the Los Angeles Times gives more evidence of the growing incidence of serious violent crime occurring in the Los Angeles public schools.

FOUR YOUTHS ARRESTED IN SCHOOL SHOOTING OF 15-YEAR-OLD GIRL

(By William Hazlett)

Juvenile gang activity, a continuing campus problem, was blamed Wednesday for the shooting of a 15-year-old girl on the lawn at Dominguez High School in Compton.

Police said the victim, Robin Sessam, was wounded in the neck by a bullet fired from a passing car. She was reported in satisfactory condition after emergency treatment at Dominguez Valley Hospital.

Det. Kay Barger said four youths were arrested in connection with the shooting that occurred about 1:55 p.m. Tuesday on the campus at 15302 San Jose Ave.

The suspects, Richard Dean Triplett, 18, whose address along with the victim's was withheld in fear of retaliation, and his three juvenile companions were booked on suspicion of assault with intent to commit murder, the detective said.

Police said a .25-caliber automatic is believed to have fired the shot.

TEACHER HURT IN ASSAULT

In another school incident, a 14-year old student at Henry Clay Junior High, 12226 S. Western Ave., was arrested and turned over to juvenile authorities after an assault on a substitute teacher.

Sheriff's Capt. Ken Hays said the diminutive youngster was taken into custody about 11 a.m. Wednesday after he reportedly attacked Hugh Bruce Epton, 26, with his fists.

Four classmates pulled the boy off the teacher, who suffered numerous cuts and bruises, Hays said.

School authorities said the two incidents are typical of a growing number of assaults and violent attacks on both students and faculty at city and county schools.

In the fiscal period from July 1, 1972, through Feb. 28, 1973, the latest compilation available, Los Angeles city schools reported 95 student assaults on teachers and 183 student attacks on other students.

Reported, but not recorded, were two recent incidents at Henry Clay Junior High involving an attack by a parent on a teacher which resulted in the teacher suffering a broken jaw, and an attack by a parent on the registrar.

In Los Angeles County, preliminary figures for the first three months of 1973 indicate a slight decrease in violent incidents, according to Supt. of Schools Richard M. Clowes.

"Of course, this is an interim report and we can't say it represents any solid trend at this point," Clowes cautioned.

"Part of the decline might be related to a tightening of the guidelines or reporting procedures."

The widespread appearance and use of guns and incidents of serious crime in our Nation's public schools is staggering.

On November 1, Albert Shanker, president of the United Federation of Teachers, said that "local school districts have failed to provide minimum protection for staff and students under their jurisdiction." He also said that security has become a bigger issue in his union than salaries and classroom size.

Shanker said:

A safe environment must be provided in every school if teaching and learning are to take place and if the physical well-being of pupils and school personnel are to be protected.

The Safe Schools Act—H.R. 2650—which I introduced in January, would provide the public schools of this country with the assistance that they need in establishing effective security systems.

DISCOVER AMERICA TRAVEL ORGANIZATION

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. STUCKEY. Mr. Speaker, the following statement was submitted by William D. Toohey, president of Discover America Travel Organizations, to the House Committee on Interstate and Foreign Commerce in connection with the National Emergency Petroleum Act. I think Mr. Toohey's statement represents

a good assessment of how the energy crisis will affect the travel industry, and I submit it to the RECORD for the information of my colleagues:

STATEMENT OF WILLIAM D. TOOHEY

Mr. Chairman and Members of the Committee: Discover America Travel Organizations, Inc., (DATO) is the national organization of the travel industry. DATO's membership is drawn from about 600 individual organizations, firms, and other agencies concerned with the development and promotion of tourism within the United States and by foreign residents to our nation.

Included in our membership are 62 state governments and territorial travel promotion and development offices, 45 transportation associations and individual companies, 49 firms and associations dealing with the lodging and food service industry, 100 regional, metropolitan and local travel promotion organizations, over 100 travel attractions and sightseeing firms, together with about 250 other firms and organizations cooperating in travel development and in information about and in the promotion of tourism.

Our purpose in this statement is to establish in definitive terms the scope and importance of tourism in America's economy and to suggest ways that the jobs of millions of Americans who are dependent on tourism can be protected without impairing efforts to reduce energy consumption. Frankly, we are concerned that employment related to tourism may be overlooked in legislative deliberations. We note, for example, that the ban on Sunday gasoline sales will affect businesses serving tourists almost exclusively.

S. 2598, as passed by the Senate, refers to the need for restrictions against the use of fuel or energy for "nonessential uses such as . . . recreational activities." These examples suggest that tourism and recreation are perceived by some to be of relatively little consequence in our economy. We will submit data that will serve to correct that impression. In addition, we will provide perspective on patterns of fuel consumption that, we believe, will indicate clearly that opportunities for significant reductions in motor fuel

consumption lie not in cutting back tourist travel, but in more efficient utilization of automobiles for local travel in the home environs.

WHAT IS TOURISM?

In this discussion, a tourist is defined as one who travels fifty miles or more one way, by any form of transport, from one's home environs for any purpose whether for business, health, recreation, or any other personal reason except commuting to and from work. This is the definition used by the National Tourism Resources Review Commission in its 500,000—world report, "Destination U.S.A.", which was submitted to the President and Congress on July 25 of this year. The Tourism Commission, we are aware, emanated from the Committee on Interstate and Foreign Commerce as a result of an amendment to the International Travel Act of 1961 approved October 21, 1970 (Public Law 91-477, 91st Congress, H.R. 14685). The economic data in the report establishes authoritatively the total scope of tourism in the United States and evaluates its economic impact. The report establishes the fact that tourism in the United States is a huge enterprise providing the livelihood for millions of people. It is a vital part of our American life style. A Bureau of Census study indicated that someone in nearly two out of three households in the United States took at least one trip during 1972.

\$61 BILLION ENTERPRISE—4 MILLION JOBS

Two tables summarize the Commission's analysis:

Table 1 shows estimated tourist expenditures in the United States, including that of foreign visitors, in 1960/61, 1970 and 1980 by expenditure item and tourist category. In current dollars tourism expenditures are estimated to have grown from \$23 billion in 1960/61 to \$50 billion in 1970, an increase of 116 percent. In 1980, expenditures were projected by the Commission to reach a level of \$127 billion, an increase of 155 percent over 1970. The 1980 projection does not reflect an energy shortage in the 1970's; the dimensions of today's crisis could not have been anticipated when the estimates were made.

TABLE 1.—ESTIMATED TOURISM EXPENDITURES AND PERCENTAGE GROWTH IN EXPENDITURES BY EXPENDITURE ITEM AND TOURIST CATEGORY, 1960-61, 1970, 1980

(In millions of current and constant 1970 dollars)

Expenditure item:	Constant (1970) dollars			Current dollars			Percent increase			
							Constant (1970) dollars		Current dollars	
	1960-61	1970	1980	1960-61	1970	1980	1960-70	1970-80	1960-70	1970-80
Food.....	4,854	7,536	14,708	3,331	7,536	21,851	55	95	126	190
Lodging.....	5,381	8,635	17,777	3,602	8,635	27,119	60	106	140	214
Public transportation.....	4,039	7,469	15,302	3,161	7,469	19,800	85	105	136	165
Recreation.....	731	1,271	2,835	506	1,271	4,216	74	123	151	232
Other incidentals.....	3,440	5,269	10,097	2,428	5,269	13,386	53	92	117	154
Owned vacation home.....	398	718	1,524	268	718	2,308	80	112	168	221
Gas, oil, tolls.....	3,009	4,535	7,099	2,577	4,535	8,371	51	57	76	85
Other auto operating expenditures.....	3,922	6,691	11,366	2,887	6,691	15,117	71	70	132	126
Auto purchase cost.....	4,623	7,604	13,362	4,219	7,604	14,716	64	76	80	94
Total.....	30,397	49,729	94,068	22,980	49,729	126,884	64	89	116	155
Tourist category:										
Households.....	18,463	31,266	61,905	14,162	31,266	83,302	69	98	121	166
Businesses.....	10,674	16,301	27,231	7,946	16,301	36,375	53	67	105	123
Foreign visitors.....	1,261	2,162	4,933	873	2,162	7,208	71	128	148	233
Total.....	30,397	49,729	94,068	22,980	49,729	126,884	64	89	116	155

Source: National Tourism Resources Review Commission.

EMPLOYMENT ATTRIBUTABLE TO TOURISM¹ IN THE U.S.A., 1970

(Industry employment in thousands)

All Industries.....	3,456
Directly employed.....	2,341
Food service.....	620
Lodging.....	771
Public transportation.....	331
Recreation.....	76
Other incidentals.....	160
Owned vacation homes.....	6
Automobile operations ²	395

Indirectly employed.....	1,115
Agriculture, forestry and fishing.....	45
Mining.....	45
Construction.....	17
Food and tobacco.....	70
Textile mill, apparel and fabricated textile products.....	157
Paper and allied products.....	24
Printing, publishing and allied industries.....	28
Chemicals and allied products.....	43
Petroleum refining and related industries.....	22
Rubber and plastic products.....	48
Leather and leather products.....	24
Lumber and food products.....	7
Furniture and fixtures.....	1
Stone, clay and glass products.....	11
Primary metal industries.....	19
Fabricated metal products.....	21
Machinery.....	41
Transportation equipment.....	19
Motor vehicles.....	10

Miscellaneous manufacturing	18
Transportation	96
Communications	27
Electric, gas and sanitary services...	16
Trade	82
Finance, insurance and real estate...	49
Other services	175

¹ Does not include automobile purchases, but only spending on current account by tourists and the supplying industries.

² Does not include auto purchase cost.

SOURCE.—Report of National Tourism Resources Review Commission.

The main point is that tourism in total is big business, although it is, in fact, comprised of a large variety of small and large establishments. The Commission stated that, "... of all retail activities, tourism would be second only to grocery sales if it could be classified as a single retail activity".

Table 2 shows the employment generated directly and indirectly by such expenditures in 1970—a total of 3.5 million jobs, of which 2.3 million serve the tourist directly and 1.1 million are in industries supplying the tourist industry. Many of the personnel serving tourists are low-skilled and marginally re-employable which makes them particularly vulnerable to disruptions in the economy. It is important to realize that significant segments of such apparently unrelated industries as agriculture, mining and textiles are also dependent on a viable tourism industry.

It is important to note here that the United States economy has changed radically since World War II from work force oriented to goods production to one oriented to providing services. One of the largest service industries in the United States today is tourism.

Applying the methodology of the Commission, it is estimated that tourism expenditures in 1972 were about \$61 billion and involved just under 4 million jobs. Furthermore, tourism contributes to the economy by the earning of foreign exchange as a result of the expenditures of foreign visitors. This is significant to our international Balance of Payments position.

A second important and highly authoritative study, by the United States Travel Data Center, the nonprofit, independent, national travel research organization, revealed that weekend travel of 100 miles or more away from home generated nearly \$11 billion in expenditures in 1972. The study was confined to that portion of the tourism industry involved in travel of 100 miles or more which is compatible with the 1972 Bureau of Census Transportation Study.

Tourism, that is, travel more than 50 miles from home, as defined by the National Tourism Review Commission Report, involves every mode of transportation—car, bus, plane and rail. However, a key point made by the Tourism Commission is that 86.1 percent of all trips away from home were made by automobile. Trips by bus, rail and air are vital to tourism and their needs must be accommodated, but the real potential for fuel savings is centered around passenger cars.

FUEL AND JOBS

Table 3 shows estimates of motor fuel consumption in the United States in 1972 by type of use. It will be seen that all motor vehicles consumed 105 billion gallons of fuel of which 73.5 billion gallons were consumed by cars.

However, trips by cars over fifty miles, that is, those made by tourists, consumed only 17.5 billion gallons. This represents 16.6 percent of total consumption and only 23.8 percent of total passenger consumption.

From this data three points emerge:

The 17.5 billion gallons of fuel consumed on trips over fifty miles have a direct causal relationship with the 4 million jobs created by tourism. Cuts in fuel availability for such

trips would have an adverse effect on many of these jobs.

Potential for reductions in fuel consumption is more than three times greater when passenger cars are used for local travel, including commuting to and from work under fifty miles, than when use is for trips over fifty miles for tourism.

Reductions in fuel consumption that are realized from car pools, greater use of mass transit, and other conservation measures, should have minimal adverse effect on jobs in local industries and businesses.

MOTOR FUEL¹ CONSUMED IN THE U.S.A. BY USE, 1972, VEHICLE TYPE, GALLONS CONSUMED

	Millions of gallons
All motor vehicles.....	105,062
Trucks and combinations.....	30,718
Passenger vehicles.....	74,344
Buses ²	881
Cars ^{3,4}	73,463
To and from work trips.....	23,044
Other trips under 50 miles.....	32,959
Trips over 50 miles.....	17,460

¹ Includes gasoline and all other fuels under state fuel laws. Excludes exports and federal military purchases.

² Includes school buses.

³ Includes taxicabs and motorcycles.

⁴ Consumption allocated on basis of Department of Transportation's Nationwide Personal Transportation Survey, 1970; unpublished tabulation ratios of mileage for business or personal use to total mileage; ratios of mileage on 50.0-99.9 and on 100.0 miles or more trips to total miles traveled.

SOURCE: U.S. Federal Highway Administration; Highway Statistics; Nationwide Personal Transportation Survey, 1970.

We feel these points are relevant to a proposed imperative to the Administration. Section 208 of Senate Bill 2589, the National Emergency Act of 1973, states, "In carrying out his responsibilities under this Act, the President shall take into consideration and shall minimize, to the fullest extent practicable, any adverse impact of actions taken pursuant to this Act upon employment. All agencies of government shall cooperate fully under their existing statutory authority to minimize any such adverse impact."

APPROACHES TO THE PROBLEM

The issue at hand, as we see it, is how to attain the overall objective of reduced fuel consumption without causing serious disruption of the economy. We recognize that tourism must be disrupted by a fuel shortage; it already has been. Three approaches to solving the fuel shortage problem are discussed below.

1. *Voluntary conservation.* The present policy of the Administration to solicit voluntary cooperation of the public in reducing fuel consumption combined with restrictions on highway speed in conjunction with allocations of fuel to specific priority industries will, we hope, work. We believe that to attain maximum effectiveness, a massive educational program and greater use of modern techniques will be needed to modify the public's attitude toward car-pooling and greater use of mass transit systems. Such an effort should result in efficient utilization of fuels in urban areas. In rural areas, where tourism may be a major economic factor, other measures may be needed. We propose that consideration be given to allocation of fuels on a priority basis to service stations on or adjacent to interstate highways. Not only trucks and busses, but also the longer distance traveler in passenger cars, could depend on an adequate supply of fuel. Many of those businesses serving travelers away from home could survive the present crisis under this plan, since our interstate network is so extensive that the traveler would likely be near his destination when he returned to

non-interstate highways. A reduced allocation of fuel to stations in population centers to effect a higher allocation of fuel to the interstate system could be expected to stimulate compliance with car-pool and mass transit programs.

2. *Fuel Tax.* In our judgment, a higher tax on fuels would not represent a serious constraint to most of those who would desire to drive fifty or more miles outside his home environs. The Tourism Commission showed a direct correlation between tourism and income; most of the traveling public could afford to pay the tax. In this limited sense, therefore, we could support the fuel tax approach. However, we recognize that such a tax would be a burden on people with low income who must drive for subsistence, and that means of relief would be cumbersome or delayed, or both. For this reason, we do not encourage a fuel tax approach if another satisfactory approach could be employed to attain overall objectives.

3. *Fuel Rationing.* A straightforward rationing program without allowance for long distance travel requirements could, we feel, have serious effects on the economy and jeopardize 4 million jobs associated with tourism. We must assume that gas rations would be consumed by local driving and that out-of-town driving would be drastically reduced. Out-of-town travel is essential if the economic contribution of the tourism industry is to be maintained. We suggest, therefore, that a mechanism be built into any rationing program that would permit equitable treatment for long distance travel. We propose specific consideration of a plan whereby rationing and a gas tax be combined. Local travel requirements would be controlled by rationing. In addition, gasoline carrying high tax would be available to satisfy long distance travel needs or desires. A program with these elements could be designed within overall fuel reduction objectives, yet many jobs in tourist-serving industries would survive during the emergency period.

In our consideration of the present situation, we have tried to be sensitive to the realities with which Congress and the Administration must deal. By giving due regard to travel outside the home city, an industry comprised of 4 million people can be protected. Conversely, by concentrating efforts to have fuel on local travel, not only is the gas shortage alleviated but environmental goals might be achieved simultaneously. Car pools make sense. Mass transit makes sense. Design and implementation of programs to facilitate a change in habits is a challenge to our best minds, but certainly not beyond their capability. Estimates produced by others with special knowledge of mass transit system and car pool potentials indicate that a target of two billion barrels per day reduced consumption can be substantially achieved by better utilization of passenger cars.

The energy emergency is forcing difficult decisions not only for the Administration and Congress, but also for the general public. To date, we would observe that voluntary public response to the Administration's requests for cooperation has been impressive. Many specific measures to restrict fuel consumption have become operative, ranging from lower speed limits to more frequent engine tune-ups to attention to proper tire inflation. Unfortunately, none of these measures appear to be sufficient. In the future, it may be necessary, for example, to question such matters as the relative priority of air pollution devices on automobiles versus savings of fuel through elimination or modification of such devices. Certainly such alternatives as rationing and gas taxes are difficult to accept in peacetime.

Today we have emphasized the economic benefits derived from long distance travel. We do not advocate any single approach to the energy emergency. We only submit our urgent plea that the important nature of

tourism be recognized and that the employees who serve tourists not be forgotten in whatever approach is adopted.

Thank you for receiving this statement. We are prepared to answer any questions or submit additional information with respect to tourism to the Committee.

SOUND ACTION BY SEC ON CORPORATE TAX INFORMATION

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. VANIK. Mr. Speaker, the Securities and Exchange Commission is to be commended for its recent action in requiring corporations to disclose the source of significant Federal tax write-offs as well as the reasons for paying less than the effective corporate income tax of 48 percent.

Last month, I submitted comments to the SEC hearing record in support of their proposed regulation. I am pleased that they have completed this action which will be of great assistance to investors and to the Congress as it deals with corporate tax legislation.

I enter in the RECORD at this point a brief article on the SEC action which appeared in the Washington Post of November 28, 1973:

NEW SEC RULE REQUIRES MORE TAX DISCLOSURE (By Jack Egan)

Corporations in future financial statements filed with the Securities and Exchange Commission will have to publicly disclose the source of significant federal tax writeoffs as well as the reasons for paying less than the effective corporate income tax rate on their earnings.

The purpose of the expanded tax disclosure requirements announced yesterday is to permit investors "to distinguish more easily between one-time and continuing tax advantages enjoyed by a company and to appraise the significance of changing effective tax rates," the SEC said.

The SEC approved the new rules over the strong objections of corporations. In comments when the rules were proposed, the companies claimed the information would be valuable to business competitors but of little use to individual investors.

They also said the disclosures could lead taxing authorities to question deductions and also would breach the confidentiality of their Internal Revenue Service returns.

The SEC said the objections did not outweigh the public interest in requiring more detailed tax disclosure.

Among the items companies will have to report under the new rules are the tax effect of plant and equipment depreciation, research and development expenses, warranty costs and other liabilities which are deferred over several years.

Corporations also have to explain or "reconcile" the difference between the income tax they paid and the amount computed by multiplying pre-tax income by the "applicable statutory federal income tax rate." This would reveal the source and nature of major deductions.

The SEC said it recognized that the information would be used primarily by professional analysts who are trying to understand the precise reasons for corporate results and not by individual investors.

But SEC commissioner A. A. Sommer Jr.

noted in remarks to United Press International that "most investors rely on the advice of expert analysis," and also would benefit.

CAUCUS PREROGATIVES ENDANGERED BY BUDGET CONTROL BILL SECTION

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. OBEY. Mr. Speaker, I intend to support the new budget control bill scheduled for action early next week. But Members of the House should be aware of the fact that one provision of that bill which relates to the membership on the Budget committee trespasses to a dangerous degree upon the prerogatives of both the Republican and Democratic caucuses in the House.

Mr. Speaker, I support fully the provision in H.R. 7130 which provides for the specific designation of Appropriations and Ways and Means membership on the new Budget committee and I will lead an effort in my own caucus to insure that the provisions in that bill become part of our caucus rules. But I feel strongly that that action should be taken only in each of the respective party caucuses and not on the floor itself.

The gentleman from Hawaii (Mr. MATSUNAGA) will offer an amendment when the bill is under floor consideration to strike that portion of the bill.

I intend to support that amendment and I hope a majority of members of both parties will do likewise. Mr. Speaker, I am inserting in the RECORD at this point a letter sent to members of the Democratic caucus by seven members of the Appropriations and Ways and Means Committees who agreed with the provisions of H.R. 7130 which relate to Budget Committee membership, but suggest a different procedure by which that same membership may be brought about.

The letter itself refers to a resolution by Representative BURTON of California which he had intended to offer in the Democratic caucus. The amendment will be offered on the floor, however, by Mr. MATSUNAGA of Hawaii. The arguments remain the same for both and I would hope that in the interest of preserving the independence of both caucuses it would be adopted.

I insert the text of the letter below:

IMMEDIATE ATTENTION

DEAR COLLEAGUE: In the Democratic Caucus tomorrow morning a number of questions will evidently be raised about the new Budget Control bill (H.R. 7130). One of the provisions of that bill requires that members of Appropriations and Ways & Means be assigned to the proposed new standing committee on the Budget.

We agree with the purpose of that provision. Our service as members of the two committees involved has convinced us that it is essential that Appropriations and Ways & Means be represented in the new Budget Committee if that committee is to function effectively on budget and tax policy questions. But, we strongly believe that such representation should be achieved in the traditional manner through the party

caucuses and not through legislative action in the House as a whole. That, as you know, has been the practice in all matters relating to the make-up of committees since 1911.

Therefore, we urge your support for the resolution which Representative BURTON will offer at tomorrow's caucus reaffirming caucus prerogatives in this area while establishing a caucus policy that Appropriations and Ways & Means members be represented on the Budget Committee.

We believe it would be a dangerous mistake to override caucus prerogatives in matters relating to committee memberships. Republicans have no business participating in the selection process by which Democratic members are assigned to committee, and similarly, Democrats have no business mixing in the selection process by which Republicans are assigned to committees.

During the debate on the Legislative Reorganization Act in 1970, some 30 members of both parties including many opponents of the seniority system opposed a floor amendment specifying that committee selection need not be on the basis of seniority on the grounds that that matter was clearly a caucus prerogative. Similarly, in 1971 many of Chairman McMillan's severest critics supported him on a floor vote challenging his chairmanship again on grounds that a dangerous precedent would be set if the House over-rode caucus prerogatives in this area.

We believe it is essential to maintain these important principles.

Enclosed is a list of members who spoke in opposition to the seniority amendments in 1970 and some of the floor statements made by members and party leaders in opposition to the McMillan effort.

We strongly urge your support of the BURTON amendment which will preserve caucus prerogatives in the committee selection process while still guaranteeing representation for Ways & Means and Appropriations members on the new Budget Committee proposed in H.R. 7130.

Sincerely,

DAVE OBEY.
ROBERT GIAIMO.
SAM GIBBONS.
FRANK EVANS.
SIDNEY YATES.
HUGH CAREY.
WILLIAM GREEN.

MEMBERS WHO SPOKE IN OPPOSITION TO SENIORITY AMENDMENTS TO THE LEGISLATIVE REORGANIZATION ACT OF 1970, JULY 28, 1970

DEMOCRATS

Albert, Bennett, Bingham, Boggs, Bolling, Celler, Dent, Dingell, Eckhardt, Fraser, Hansen, Hays, McCormack, Moss, Obey, Pucinski, Sisk, Vanik, Waldie.

REPUBLICANS

Collier, Conable, Erlenborn, Gubser, Harsha, Martin, Saylor, Smith of California, Steiger of Arizona, Steiger of Wisconsin, Wyatt.

FLOOR STATEMENTS OF MEMBERS OPPOSED TO EFFORT TO DEPOSE DISTRICT OF COLUMBIA CHAIRMAN McMILLAN BY HOUSE ACTION, FEBRUARY 4, 1971

Majority Leader Boggs: "We would be establishing a precedent here that could be carried to any length . . . If the Majority Party voted unanimously, we could displace any committee member or every committee member nominated by the minority."

"And if a minority on the Democratic side and a majority on the Republican side get together they could take over control of the entire committee system in the House."

Minority Leader Ford: "The Democratic Caucus made a decision. Whether we on our side agree with or not, by precedent that is

a matter within the ranks and prerogatives of the Majority Party."

"We should not get into the procedures and prerogatives of the majority party . . . The Democrats should (not) make decisions for use (and) we should not become involved in making decisions for the Democratic Party."

Mrs. Green of Oregon: "This kind of suggestion has the greatest potential for mischief of anything in terms of two-party procedure that we can develop. Its long-term significance transcends the specific selection of any single chairman. The procedural policies in organizing the House must be maintained or there is going to be absolute chaos. Party responsibility will be destroyed and no one will know who to hold responsible as far as the two parties are concerned for successes or failures. Let us look at the long-range implications of such a departure as is proposed."

Mr. O'Hara of Michigan: "I happened to be on the losing side (on the McMillan vote in caucus), and I am unhappy with the result, but that does not make any difference with respect to the basic premise stated by the majority leader and the minority leader that each party should be free to make its own decisions without hindrance from the other."

Mr. Burton of California: "It is a most dangerous precedent . . . to in effect give the minority caucus veto power over the majority caucus deliberations. It would establish a precedent that could seriously and adversely affect the way the business of the House of Representatives is run."

Mr. Fulton of Pennsylvania: "It has been the custom that each party shall select its own people and set the seniority and that they shall select the membership of the various committees and their own officers and that the other party would do the same."

"Unless this comity is kept, unless this courtesy continues to exist between the parties . . . I believe it would do a great disservice and damage to the two-party system."

MISS SIBYL POOL

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. FLOWERS. Mr. Speaker, we in Alabama lost one of our distinguished citizens last month with the death of Miss Sibyl Pool of Linden.

Sibyl Pool spent the major portion of her adult life in service to the people of Alabama through the political offices to which she was elected. She was the second woman in the State's history to win a seat in the legislature when she represented Marengo County in 1946. Eight years after entering the Alabama House of Representatives, she became the first of her sex to win statewide office when she was elected secretary of state. She served in that capacity for 6 years, followed by 4 years as State treasurer. At the time of her retirement because of ill health in 1971, she had served as a member of the Alabama Public Service Commission for 16 years.

Miss Pool's career in public life spanned 34 years, longer in political office than any other woman in the State's history. Sibyl Pool devoted the major portion of her life to service to others and her passing is a great loss to those who knew her. She will be truly missed.

SOLAR ENERGY: ANSWERS FOR TODAY AND POTENTIALS FOR TOMORROW—PART IV

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. VANIK. Mr. Speaker, the administration's energy pronouncements in recent months have clearly been a disappointment. Perhaps the most disappointing aspect of the President's program is its lack of commitment to energy research and development. The President has stated the need for this research, but he has not given us a program or provided the necessary revenues. In short, he is hiding behind his own rhetoric.

The establishment of an energy research and development trust fund is the only responsible alternative for providing the revenues necessary for a massive Federal effort in this area. I have suggested such an approach in H.R. 6194, the Energy Development and Supply Act of 1973. This trust fund will provide the vehicle for a thorough exploration of new, clean, dependable sources of energy.

Solar energy falls into this category of energy resource. Although the President has expanded the budget for solar research in recent years, it still is insignificant relative to its potential impact on our future economy. A recent article which appeared in the Cleveland Press outlines this tremendous potential. The author, Mr. David Dietz, states the remarkable fact that the solar energy falling on the surface of Lake Erie in an average day is more than the total energy used each day in the entire United States. The problem for research is to develop ways of converting this energy efficiently so that we can use it. For the interest of my colleagues, I am including the complete text of this article in the RECORD: SUNLIGHT HITTING LAKE ERIE COULD OPERATE THE NATION

(By David Dietz)

The energy contained in the sunlight falling on Lake Erie on an average day is more than the total energy being used that day in the entire United States.

Bringing the figure closer to home the energy in the sunlight falling on one acre of ground is about 4000 horsepower. That on each square yard of your front lawn is 1.5 horsepower.

That is why scientists believe that an accelerated program is needed to speed up the utilization of solar energy. They are unable to understand why President Nixon impounded \$60 million which Congress voted for research on solar energy, geothermal energy and the gasification of coal.

A report being assembled by the Atomic Energy Commission, due in December, is expected to recommend a five-year \$10 billion program of research in all fields of energy including, of course, atomic energy.

It would be a big mistake to think that all the solar energy reaching the earth goes to waste. If the sun suddenly went out, the earth would be plunged into total darkness.

The temperature would quickly begin to fall. Within a week the tropics would be as cold as the North Pole. Soon the oceans would freeze to their lowest depths. Finally the atmosphere itself would freeze.

About a third of the sun's energy reach-

ing the earth evaporates water from the oceans, lakes and rivers. The water vapor forms clouds and eventually returns to the earth as rain or snow.

Green plants grow by a process known as photosynthesis which utilizes the energy of sunlight. Since animals eat plant or each other, life would be impossible without solar energy.

But trees and plants use only about 1% of the solar energy that falls on the ground. The other 99% is reflected back into the atmosphere.

Some of that, the scientists say, must be put to work to meet the problem of giving mankind more energy while the storehouse of natural resources is being depleted.

A FOURTH ENERGY MESSAGE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. FRASER. Mr. Speaker, the Nation has heard another Presidential energy message. An editorial in the November 27 issue of the Minneapolis Tribune points out that the administration appears to be moving with events, rather than directing their course.

The President's major energy message to Congress last April failed to propose steps to require equitable allocation of scarce supplies. It failed to set up a system of standby reserves for emergencies. It failed to make a long overdue commitment of funds needed to develop alternate sources of energy for the future. And it failed, most notably, to move to curb consumption.

Only after outbreak of war in the Middle East, when indications of mounting shortages and potential economic disruption could no longer be ignored, did the administration move to require allocation of propane and heating oil, although Congress had authorized this action 6 months earlier.

Now, after Congress has passed additional legislation requiring it, crude oil and gasoline will be included in the program.

In his latest energy message, the President has proposed several sensible conservation measures. But even these will not result in sufficient savings.

A 17-percent, nationwide shortage seems inevitable, with regional shortages running much higher. What the President has recommended—if it works—will save us only 10 percent. Where is the rest to come from?

As the November 27 Minneapolis Tribune editorial indicates, unpopular steps are called for. With its popularity at an alltime low, the administration apparently lacks the courage to impose strong measures such as rationing or excess-use taxes.

The editorial follows:

[From the Minneapolis Tribune,

Nov. 27, 1973]

A FOURTH ENERGY MESSAGE

In his fourth energy message of the year—and his second in less than a month—President Nixon added little new to what he has previously said about the nation's fuel shortages or proposed in the way of solu-

tions. Several of the proposals he announced Sunday night were either already in the works or had been anticipated. For example, several states had already put into effect a 50-mile-an-hour speed limit, and at least 30 percent—and perhaps 40 percent—of the country's gas stations already were closed on Sundays. Cutbacks in jet fuel and the allocation of heating oils were already under way.

Two weeks ago Congress gave Mr. Nixon authority to deal with some aspects of the fuel problem, and further measures with new grants of authority are expected to be passed soon. But the leadership must come from the White House, and Mr. Nixon still gives the appearance of backing into solutions rather than facing up to the over-all problem.

On the immediate problem of gasoline shortages, for example, Mr. Nixon continues to draw back from such consumption-reducing measures as rationing or sharp tax increases on the grounds that they would be unpopular. Unpopular, they might be. But strong measures are, in the minds of most of the country's energy experts, unavoidable, too, and the sooner the administration takes strong steps to reduce consumption the better. Every day that passes, the shortage of gasoline—along with other fuels—becomes more apparent. On Nov. 7, the administration estimated that the country would be short 10 percent of gasoline. On Sunday, administration officials said the estimate now is 21.4 percent. What will the estimate be in another 18 days?

Administration critics have labeled each of Mr. Nixon's previous energy messages as "too little, too late." They are saying—with equal justification—the same about the message he broadcast on Sunday. There is plenty of evidence indicating that as long as three years ago and more, the administration and the oil industry were aware of trouble ahead, but neither of them, it seems, was prepared to take the necessary steps to curb consumption. To take one instance alone, the Vietnam War: Americans who watched the vast quantities of oil poured into Indochina as recently as a year ago might be excused from wondering why they can't get enough to heat their homes this winter.

Short-term cutbacks undoubtedly will get most Americans through this winter without too much distress. There still is an enormous amount of energy available in the United States. But a policy based on short-term actions will provide only short-term relief. The energy crunch that is upon us all is not just a temporary emergency. It more likely is, as Stewart Udall pointed out in an article on this page in Monday's Tribune, "a deepening long-term impasse that is certain to escalate and send shock waves through our economy for at least a decade."

In this sense, it is not only misleading but dishonest for the president to hold out the hope that if his plans are followed the country can become energy self-sufficient by 1980. This goes completely against the grain of comment from the nations most knowledgeable energy experts. "Patently absurd," was the way a Shell Oil Co. official put it in Minneapolis recently. Mr. Nixon would serve himself and the country better if he stopped pretending that there are easy, painless solutions that by the end of the decade will bring the nation to the point where, in the president's words, "we will once again have those plentiful supplies of inexpensive energy which helped to build the greatest industrial nation and one of the highest standards of living in the world."

The hard reality, says Udall, "is that the era of abundant, cheap oil has ended—and there have never been any short-cut substitutes in sight for this versatile commodity." That's the sort of plain talk the country should be getting from the White House.

RESOLUTIONS ON THE SUBJECT OF IMPEACHMENT

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. WOLFF. Mr. Speaker, the Reform Democratic Association of Great Neck recently passed a number of resolutions on the subject of impeachment. I would like to include these resolutions in the RECORD for the attention of my colleagues:

RESOLUTIONS

The Reform Democratic Association of Great Neck does hereby urge the House of Representatives to vote the impeachment of President Richard M. Nixon for the following reasons:

THE WAR IN INDOCHINA

For at least 14 months prior to the invasion of Cambodia by United States armed forces in May 1970, President Nixon authorized a secret air war against Cambodia while denying that such an offensive was in effect. The May 1970 land invasion was undertaken by President Nixon without Congressional approval. These illegal actions caused thousands of Cambodian and American deaths, destroyed Cambodia's neutrality, and flouted the United States Constitution, the Charter of the United Nations and the basic principles of international law.

SUBVERSION OF THE BILL OF RIGHTS

On July 23, 1970, President Nixon approved an interdepartmental intelligence project (supposedly abrogated five days later) sanctioning an unprecedented campaign of political espionage and sabotage against any opponent of administration policy. Evidence has been presented at hearings of the Senate Select (Ervin) Committee indicating that the project has never been cancelled and in fact is in operation to this day. This project violates not only the Bill of Rights but recent Supreme Court decisions that electronic surveillance is illegal.

In 1971, President Nixon authorized the establishment in the White House of a special investigative unit known as the Plumbers to engage—for political purposes—in a program of breaking and entering, infiltration and provocation, forgery, and acts of violence to persons and property. This unit was illegal in that it was immune from supervision by the several security organizations created by the authority of Congress.

TAMPERING WITH DUE PROCESS AND THE JUDICIARY

President Nixon set in motion procedures leading to the burglary of the office of Dr. Daniel Ellsberg's psychiatrist, in violation of the laws of California and of the United States. This burglary has resulted in the indictment of one of the President's chief assistants. President Nixon sought also during the Ellsberg-Russo trial to influence the outcome of the trial by offering to the trial judge the directorship of the FBI.

President Nixon and his chief aides sought to cover up the Watergate crimes and the government's criminal activity in the Ellsberg case by asserting CIA involvement and national security concerns. For five weeks President Nixon deliberately withheld from the trial judge in the Ellsberg case the evidence of the burglary—until the Attorney General of the United States and his deputy insisted that it be revealed.

THE ASSAULT ON FREEDOM OF THE PRESS

President Nixon has throughout his terms of office demonstrated contempt for the First Amendment guarantees for the media. Some examples: The Justice Department's sub-

poenas for journalists to force them to divulge their sources of information; the federal government's attempt to enforce for the first time in the nation's history the doctrine of "prior restraint" in the publication of news (the Pentagon Papers Case); the wiretapping of Washington correspondents, and fraudulent investigations to intimidate diligent reporters (the case of Daniel Schorr of CBS-TV news).

TAMPERING WITH THE ELECTORAL PROCESS

President Nixon, as the Senate hearings and court actions have revealed, was either fully aware of or criminally negligent about the violations of federal law in the collection and illegal use of campaign funds to ensure his reelection. Federal criminal indictments have been returned against his immediate subordinates at Cabinet level. There is uncontested evidence of heavily financed undercover interference with the electoral efforts of President Nixon's opponents through fraud, espionage, libel, slander, burglary, wire-tapping, extortion, favors to selected industrialists, false reporting, bribery and perjury.

UNAUTHORIZED IMPOUNDMENT OF FUNDS

President Nixon has refused to spend over \$40 billion in congressionally approved and appropriated funds for health care, housing for the needy, assistance for the children of working mothers, and for handicapped persons.

The degree to which the President has impounded funds in defiance of the authority of Congress is unprecedented in our history.

VIOLATION OF THE RIGHT OF PRIVACY

President Nixon recently taped his conversations with numerous persons conferring with him in his White House office. This is a gross breach of confidence more appropriate for the head of a police state than for the elected head of a democracy. President Nixon has compounded this breach by refusing to make these tapes available to the special prosecutor in the Watergate investigation, whose appointment he approved, and to the Senate Select Committee.

IMPROPRIETIES IN THE ACQUISITION OF PROPERTY

President Nixon has issued contradictory and incomplete explanations about the manner in which he has acquired valuable property in California and Florida, with the questionable assistance of wealthy friends. There are also unanswered questions about the expenditure of at least \$10 million in Federal funds for alterations at the Nixon homes at Key Biscayne and San Clemente, allegedly for reasons of security.

LATVIAN INDEPENDENCE DAY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 26, 1973

Mr. DULSKI. Mr. Speaker, this month, 55 years after the declaration of independence by an optimistic Latvian nation, we are reminded of what a travesty freedom can become.

Around the world it is only the Latvian descendants in other countries and Latvian emigres who are free to commemorate that happy day in 1918; those citizens still in Latvia are facing more of the degradation they have endured for the past 33 years under Soviet domination.

Despite the subjugation of ethnic culture, heritage, and pride in Latvia, despite forced resettlement and tyrannical treatment, the desire for freedom and

self-determination has not been eliminated.

In the climate of détente, the United States and other free nations have an opportunity to press even more strongly for restoration of human rights and human dignity in the captive nations.

As we move cautiously toward a more peaceful world, we must remember that peace and stability must be accorded all peoples of all nations. We must stand as firm as the courageous Latvian people and reassert the basic principles of the United Nations Declaration of Human Rights, which both the United States and the Soviet Union have signed. We must continue to work for the day of true freedom for all men.

HON. GERALD R. FORD'S ADDRESS
BEFORE THE UNITED JEWISH AP-
PEAL'S DINNER FOR LIFE

HON. ANGELO D. RONCALLO
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Friday, November 30, 1973

Mr. RONCALLO of New York. Mr. Speaker, I was pleased and honored to attend the United Jewish Appeal Dinner for Life at the Colonie Hill Restaurant with GERALD R. FORD, our distinguished minority leader and Vice-President-designate.

I submit to the RECORD his fine address which was received with warmth and enthusiasm by all:

ADDRESS ON ISRAEL

Ladies and gentlemen, it is a special pleasure to address you at a time when the world seems finally ready, after so many tragic years of bloodshed and senseless procrastination, to acknowledge an unavoidable reality.

That reality is the reality of Israel's existence. The United States has worked long and hard—and often alone—to uphold Israel's security. In the peace negotiations that are at long last about to begin between Israel and the Arabs, we will continue to support Israel's existence and her right to live in security.

The relationship between the United States and Israel has always been a unique one, and as I worked on these remarks I tried to come to some conclusions about why this should be so. I think I've come up with at least a partial answer, an answer involving the Bible, a poet, a statue, and the work the UJA is doing to assist Russian emigrants. The plight of Soviet Jewry, incidentally, is one that has long concerned me, and I'm sure some of you here tonight remember that I addressed this subject at a rally for Soviet Jewry in Madison Square Garden in 1971.

The passage in the Bible to which I referred comes from Isaiah. I'd like to read a few brief excerpts. According to the prophet, the mission of Israel was, and I quote, "... to loose the bands of wickedness, to undo the heavy burdens, and to let the oppressed go free ... to deal thy bread to the hungry and ... bring the poor that are cast out to thy house ... Then shall this light break forth as the morning ..."

As you are well aware, the historical parallels between our age and the age of Isaiah are striking. Then, as now, for example, the Jewish people were returning to Zion to rebuild their nation.

But there is another contemporary historic parallel that I find even more striking.

Listen to the following lines, ladies and gentlemen. I am sure you know them by heart.

Give me your tired, your poor,
Your huddled masses yearning to breathe free,

The wretched refuse of your teeming shore,
Send these, the homeless, the tempest-tossed to me:

I lift up my lamp beside the golden door.

Those are, of course, the famous lines engraved on the pedestal of the greatest symbol of human freedom in the world—the Statue of Liberty. They are also the closing lines of a poem that celebrates America as the haven for the world's oppressed. The poem is entitled "The New Colossus." The author was Emma Lazarus, a Jewish woman who organized relief for Jewish refugees who had fled the oppression of 19th century Russia.

The ring of Isaiah is in those lines. I think those words on the Statue of Liberty capture the essential spirit of both America and Israel—almost uniquely among the nations of the world—havens for the persecuted, the homeless, the oppressed.

And it is because of this unique common tradition, I believe, that the bonds between America and Israel are so very close. There is no contradiction whatsoever between the support you offer to Israel and the loyalty you feel toward America.

There are many of you in this audience tonight whose parents came to these shores fleeing oppression. Some of you came under those conditions yourselves. And as you all know, the accomplishments of the UJA in assisting such immigrants have been nothing short of phenomenal. And what you and your parents found here was something you could not find in the nations you left—the promise that you could rise just as high and travel just as far as your abilities and dedication could carry you.

All of you here tonight have realized that promise, and your lives are tangible testimonials to a very simple but often overlooked truth—the American system is alive and healthy. The system does work. You have proved that it works.

Still another truth about our society is that it is diverse, a pluralistic society strengthened socially and culturally by the beliefs and customs of the various nationalities and religions that found sanctuary and opportunity here.

The melting pot theory still holds. The melting process, of course, distills different social and philosophic views down into common national goals and purposes. That melting process should not, however, attempt to boil out those unique things we bring to America as members of distinct cultural groups, qualities which help to enrich our society as a whole.

Too often, I believe, we stress the sameness, the homogeneity of American life while ignoring the healthy differences and variations that give such richness to the American fabric.

The texture of our Nation, which has contributed to its unparalleled greatness, comes from many ethnic, religious and nationality strains. America, as we know it and love it, is like a good soup. Its full flavor comes from the blending of many ingredients.

Yet from many quarters we hear a great deal of talk about assimilation—especially from the younger generation. And, of course, it is necessary that we should be alike in some ways—in our standard of justice, our concept of democratic government, our common ideal of liberty and freedom.

But, we must also recognize that we can pay too high a price for sameness. We can make our soup bland. There are differences that we cannot afford to lose.

I do not like to believe and do not concede that in this country we have Italian-Ameri-

cans, Irish-Americans, Afro-Americans or Jewish-Americans because the hyphen implies that different groups should be treated differently. This is wrong.

On the other hand, it is necessary to understand that different groups have added immeasurably to American life because they are different. Out of their differences have grown ideas, a fuller cultural life, and a more interesting and stimulating America. Our national outlook is broader; our character stiffer.

Rather than question in any way those who feel deep emotional ties to other countries—whether it be Israel or Ireland or Italy or Africa—we should salute this as a manifestation of the genius of our Nation. This is part of what we call Americanism. It is one of the things that make both Israel and America unique in the world. The beauty of Joseph's coat was that it was of many colors.

It is perfectly impossible for Americans to hold on proudly to the best elements of their different national heritages—and yet be united in common love for our country. And let me add here that no single group of Americans has been more steadfast in standing up for our country than our Jewish citizens.

Finally, ladies and gentlemen, let me mention one more basic American quality, perhaps the finest of all—the willingness to sacrifice to help your fellow man.

It's an old concept, one of the finest embodied in the Judeo-Christian tradition, the concept of charity. And perhaps no group in America has more distinguished itself for its generosity and its philanthropy than the American Jewish community. The Greek root of the term "philanthropy" means love of mankind. And I know of no people who better personify this love than those who give to the United Jewish Appeal.

You can take profound pride in your record. Since 1938, UJA funds have saved over 3 million lives and have helped make possible the transformation of Israel into a dynamic and progressive land.

As you all know, the recent fighting in the Middle East took a tragic toll. In fact, given population ratios, the number of Israelis who died each day during the recent fighting was equivalent to approximately 7,000 American deaths per day. Thus your efforts to help Israel "bind up the wounds of war" seem especially appropriate at this moment in history.

At the same time, other needs also press in Israel. For example, immigration to Israel continues and spending on immigration alone was over \$1 billion before the hostilities broke out.

This is a time of testing, and the road ahead will not be an easy one. But for the first time in decades, the road does seem passable with some of the roadblocks removed. This Administration has spent five years in attempting to clear away international obstructions to peace by building bridges to those nations with whom we once had no dialogue.

And the indications are that now such bridge building may be possible between Tel Aviv, Cairo, and Damascus. Perhaps finally the way may be clear. Richard Tucker has given us an inspirational rendition of the Israeli national anthem here tonight, and it is the closing lines of that anthem that we find the hope of the future expressed so clearly:

"The hope of two thousand years, To be a free people in our land, In the land of Zion ..."

Ladies and gentlemen, I believe we will make that hope a reality.

And so I salute you—salute you for your support of a worthwhile cause—and salute you, my fellow Americans, because you have unselfishly helped pave the road to self-reliance for the people of Israel. With pride

you can say you have played a major role in Israel's progress. With your head high, you know you have personally shared in an enterprise of historic significance for the survival of the Jewish people and of the spirit of human freedom and dignity to which it is dedicated. Shalom.

HON. RICHARD LUGAR, MAYOR OF INDIANAPOLIS, SPEAKS OUT ON ENERGY CRISIS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. BRAY. Mr. Speaker, on November 20, 1973, Mayor Richard G. Lugar, of Indianapolis, addressed the city over television on the energy crisis, what it means, and what Indianapolis can do about it.

His speech, plus an editorial from the November 22, 1973, Indianapolis Star complimenting him on it, follow:

ENERGY EQUALS JOBS

(An address by Richard G. Lugar, mayor, city of Indianapolis, Nov. 20, 1973)

The economy of the United States and the technologically advanced nations is based on energy. Energy is the ultimate raw material which permits the continued recycling of resources into most of our requirements for food, clothing, and shelter. The productivity (and consumption) of society is directly related to the per capita energy available.

Today, human labor provides for far less than one per cent of the work performed in factories, refineries, and mills in the production of products. Literally, our economy and our way of life could not continue without vast amounts of energy. With the exception of the Soviet Union, none of the industrialized nations of the world is self-supporting in energy. They, together with most developing nations, will continue to compete vigorously with the United States for available supplies. A transition from a buyer's to seller's market in energy, worldwide, seems a likely prospect for ensuing decades.

The essential facts of our current energy problem are these: The United States depends upon petroleum to meet 46% of its energy demand. Petroleum is used at a rate of approximately 17 million barrels a day in the United States. Imports accounted for 33% of all U.S. crude oil and petroleum products prior to the recent Mideast curtailment. Recent curtailments will mean a shortage during this winter of at least 2 million barrels per day of crude oil and petroleum products. If the Mideast oil cutoff continues, the shortage will be approximately 3 million barrels per day or 17% of normal demand.

Heating oil shortage will be approximately 15% of expected demand. Gasoline shortages will be approximately 7%, and this percentage could increase if refineries can obtain higher production of heating oil at the expense of gasoline in the refinement of crude oil.

Most of us know that demand for energy has been rising rapidly. Many of us are displeased that current international developments have left this country so vulnerable. In days to come, substantial criticism will be levied at oil companies who have not expanded refineries in this country in step with demand for petroleum products and have serviced the needs of other countries allegedly at the expense of this country. The oil companies will point to environmental restrictions on refinery building plus local hostility, smothering governmental controls on pricing which made investments less profitable and governmental protectionism which discouraged oil imports until too late.

Various citizen groups who have fostered stringent air quality standards have rejoiced in the delay or cancellation of oil refinery construction, the delay of nuclear power plants, the termination of much coal mining, and difficulties posed for automobiles. Perhaps even more of us have consumed energy without much conscious thought about conserving either energy or money. Energy has been abundant and relatively inexpensive, and we have centered our attention on other issues such as international peace or the strengthening of life in urban and rural areas of America with confidence that we had adequate capacity of energy to move forward.

For the moment, we must recognize that international peace is at the forefront of consideration in this energy crisis.

The Arab nations have observed, accurately, that we are a people who demand a lot of energy and seem determined to enhance present life-styles and demand more energy in the future. The Arab nations have made the same observation in regard to Western Europe and Japan.

Make no mistake about the fact that we are the intended victim of international blackmail of the greatest historical importance to our country. The Arab Nations believe that we will be hurt sufficiently in the coming months that we will meet their terms in the Middle East for the settlement they demand. Following that, they believe that we will stand by as American property is confiscated and that we will pay almost any price demanded for petroleum products they control. Several European countries have caved in quickly to meet Arab demands and abandoned even a token display of NATO solidarity with the United States. Given the nature of this crisis and the demands of citizens in each Western democracy, the United States has watched its friends literally disappear over the hill. In truth, only 11% of our imported oil comes from the Arab countries, but the policies of our allies have jeopardized attempts to import make-up quantities from any other source. Even our greatest source of petroleum imports, the Canadians, have upped the price to us by a substantial sum and curtailed our potential supplies, in addition.

Ironically, you may remember that some United States senators who fought and delayed the Alaskan Pipeline legislation for years argued for a pipeline across Canada and naively pointed to the safety and economy of this route for the Midwest.

The only safe course for the future of this country is self-sufficiency in production of the energy which we will need. The Arab nations have been effective in their strategic policy because they could count upon the desperation of citizens in countries who use oil to demand that oil shipments continue lest normal economic and social life grind to a halt.

Our predicament is serious but it is not desperate. If we use common sense and calmly face the facts, we will establish that this country cannot be blackmailed. We are strong enough to maintain peace and stability in a world which will become a great deal more jittery in the coming months.

I will leave to others further analysis and moralizing over why we are using so much energy and who should have provided more planning, production, less control, and all the rest. Our task, now, is to assess quickly the extent of the problem in Indianapolis and to detail the steps we must take to provide a strong economy, and a minimum of physical suffering for all citizens during the winter months ahead.

First of all, the good news of our situation should be noted. The Indianapolis Power & Light Company has the capacity to provide ample electric power to this community for the foreseeable future. Electric power is not in short supply. For good reasons, we will

need to conserve all energy including electricity but we need to note as accurately as possible the truth of our current predicament. We have no need to express alarm about electric power.

Other areas of the country will not be so fortunate for reasons evident in our own history of electric power consumption in Indianapolis. The use of electric power has grown in startling leaps.

For example, the average residential use of electricity in Indianapolis was 2,478 kilowatt hours in 1952 and 4,525 in 1962. That average rose to 7,729 kilowatt hours in 1972, an increase of well over 200% in 20 years with an average price in 1972 of 2.232 cents per kilowatt hour as compared to 2.563 cents twenty years ago.

Because electric power is available in ample supply and is less expensive than 20 years ago, it is difficult for some to imagine how and why problems might develop. But let us remember that it was difficult for some to imagine how natural gas might come into short supply just two or three years ago. But energy users make substitutions. Businesses and individuals cut off from some sources of energy will seek alternatives in better supply. To be specific, former oil and gas users are switching to electricity. Furthermore, the use of electric power has been on a growth pattern of 7% compounded annually for a long time in this country. Finally, our own supply of electric power this winter is primarily dependent upon the Indianapolis Power & Light Company being allowed to burn Indiana coal.

Small and large industrial and commercial enterprises in Indianapolis used 69.7% of electric power consumption in 1972 as opposed to 28.8% use by 255,228 residential customers. Substantial electric power savings will be most easily obtained in large industrial usage. Our future economic growth is dependent on these farsighted conservation measures, now.

For individual homeowners, it is very important to adopt and to maintain a conservation spirit which means turning off the lights and appliances which no one is using and using appliances that are economical to begin with as opposed to being careless and wasteful.

Symbolic of our community concern, the Christmas tree on Monument Circle will use less than 50% of the electric power it used last year. The spotlights on the tree will be turned off. The Indianapolis Power & Light Company's own building on the Circle will remain dark. There is no need to panic and to rush into many ill-advised reductions, but the time is at hand for changes in life-style and for the conservation of electric power by some reasonable percentage that will not cause immediate discomfort but will insure greater capacity for the continued health and safety of Indianapolis. Energy shortages will last for several years. We will enjoy abundant electric power during that time if we begin to conserve now.

Natural gas poses a different set of problems. Families living in homes heated by natural gas will have adequate supplies this winter. The same can be said for schools and for large volume industrial users. Those who do not have natural gas service or who have interruptible supply arrangements will be without natural gas during most of this winter.

Approximately 61% of Indianapolis homes are heated by natural gas and the adequate heating supplies for these families are a source of considerable reassurance to the community. Likewise, 59% of all public school buildings in Indianapolis and Marion County are heated by natural gas and should have ample fuel supplies for building heat.

The natural gas picture has been one of limited supply for many months in Indianapolis. The supply picture will not change during the months ahead. Generally speak-

ing, if you are enjoying the service now, you will probably continue to enjoy it for the foreseeable future. Otherwise, you will be seeking other sources of heat and energy. Some of the pressure from the termination of natural gas supplies has fallen on the fuel oil alternative thus increasing demand for that inadequate supply. Other demand has moved toward electric heat which will accelerate pressures on that front.

No new gas supplies are on the way. The conservation of natural gas is an obvious goal for the community. Our ability to be prudent in usage is a small price to pay for the certainty that most of the homes of this community will continue to be warm and that most factories will continue to operate. Unlike the electric power picture, the bulk of gas revenues come to Citizens Gas & Coke from residential users and the bulk of the economies must come from 149,244 gas heating customers.

In viewing the petroleum products scene, we find a grave situation. Many units of city government and school government have already received notices from large suppliers of fuel oil indicating that only 96% and in some cases, 88% of last year's purchases will be available during the coming year.

The 29% of Indianapolis homeowners who use fuel oil for heat will have a variety of outlooks. Our office has polled twenty large and medium sized fuel oil distributors and found that homeowners who have a stable customer-supplier relationship on a keep-full basis are in relative safety of receiving an adequate supply of fuel oil this winter. Those homeowners who do not have a stable relationship and those who usually buy small quantities of fuel oil at various times will be the most likely to run into difficulty and to need to file for special allocations through the government of the State of Indiana.

For Indianapolis, the immediate energy crisis boils down to a severe shortage of fuel oil. To the extent that more petroleum is shifted at the refinery into fuel oil as opposed to gasoline, gasoline supplies will dwindle faster and shortages will become critical sooner rather than later.

Shifts and substitutions within a fixed, short supply of energy will continue for years. This is the reason that no supply is safe and that all energy must be conserved.

President Nixon has asked for immediate national consideration of the most practical means of conserving fuel oil and gasoline immediately. Failure to effect savings in amounts of 10% or 20% will mean rationing by means of price, special taxes, coupon books or all three in a last ditch attempt to prevent the halt of basic industries, basic governmental services, and suffering by millions of Americans.

The fundamental fact remains that we do have 80% of the petroleum which we will need this winter and possibly more depending upon how cold the winter is and how long current international curtailments last.

As a nation, we can effect the 10% to 20% savings and preserve prosperity and health to say nothing of the independence of our foreign policy if we are able to see the problem now and to act.

Obviously, if many citizens do not see any problem, they will not help in the solution. Equally unfortunate are some citizens who see the problem but are too busy settling old scores by suggesting that they will do nothing until others do something.

I do not intend to purport a course of action designed to cause inconvenience or to effect a social or economic policy change under the guise of conserving energy. I will propose constructive action which will lead to common sense strengthening of our economy and safety.

First of all, because our major immediate problem is adequate energy for heating, we can best meet this head on by lowering

thermostats in every building in Indianapolis. For most people, this should mean an average reading of 68 degrees. This goal is absolutely critical in any building warmed by fuel oil or we shall very likely run out of supplies and a degree of unemployment and suffering is inevitable this winter and for a long time to come.

Savings in natural gas, electric heat, and steam heat are also important because all should be conserved. All are likely to be in shorter supply and to increase in price as will fuel oil. If the normal citizen cannot turn down the thermostat to help save the job and health of another citizen, perhaps he will do so at least to save his own money, substantial money before the year is over.

Secondly, we must save gasoline, the other major petroleum product now in short supply and destined to become critically short without major conservation now. As in the case of fuel oil, each citizen is not being asked to abstain from total use but simply to save a little fuel. This can be done by driving at 50 m.p.h. or less on highways, by better maintenance of car engines, by eliminating needless idling of engines, and by not using the car in circumstances when a car pool, use of public transportation, bicycling, or walking will prove just as satisfying and much less expensive.

I make these suggestions on fuel oil and gasoline with full knowledge that enforcement of total compliance is impossible. Hope for voluntary compliance is only as strong as one's faith in individual conscience and sense of self discipline.

The Indianapolis Police Department and the Marion County Sheriff now ticket hundreds of speeding drivers each week who even under severe penalty of law cannot control excessive speed and a shocking waste of energy. The law is important but it can never be as strong as the motivation which comes from individual concern about loved ones, about neighborhood and community, and about the future of our country.

Energy equals jobs. Waste or energy will be unemployment for someone else. I have no doubt that a business as usual attitude will lead to severe hardship including loss of income for thousands of Indianapolis citizens. That will mean, ultimately, loss of income for most of us. I am equally certain that we have a good chance of preserving basic city services, keeping schools open, and maintaining strong employment if we use less fuel oil and gasoline now, and if we develop conservation habits to save natural gas and electric power.

The government of the city of Indianapolis will take a leadership role in energy conservation.

Except for circumstances when health would be endangered, all buildings will be heated at 68 degrees with lower thermostat settings in buildings infrequently used by the public or city employees. We intend to set a pattern of saving all fuels because we will need to continue on such a course for at least three to five years through the ups and downs of various supply situations.

Except for emergency conditions, all Indianapolis owned cars will travel at less than 50 m.p.h. We will emphasize and offer incentives to car pools and the use of public transportation.

Substantial gasoline savings have been realized by the City during 1973 with a 7.6% reduction in the number of gallons of gasoline purchased as compared to a comparable period of 1972. During 1974, we shall achieve a further 15% reduction in gasoline purchase amounting to over 500,000 gallons. 990 vehicles of the 1320 cars owned by city and county governments are used in public safety. A new system of internal control will be instituted to achieve these gasoline savings by the Department of Public Safety.

With the assistance of the Indianapolis

Center for Advanced Research, the Department of Public Works will re-engineer the combustion processes of the waste sludge incinerator to achieve a 20% saving in fuel oil consumed at the Sanitation Plant. The automobile gasoline saving plan and combustion re-engineering projects should result in a saving of 17% of all petroleum product usage by the City government in 1974.

Also in cooperation with the Department of Public Works, the Indianapolis Center for Advanced Research will be employed to assist in applying a biological respirometer to control secondary treatment units and effect a 13% saving of all of the electric power now used by City governmental operations.

These savings in petroleum products and electricity will achieve an approximate 13% saving of all energy by the City of Indianapolis government to which will be added the other departmental programs and economies of individual employees.

City government has taken a thorough inventory of energy consumption and found that the most substantial savings are possible in Sanitation Plant operations because 45.8% of current energy consumption occurs in these locations.

Ironically, the fuel oil allocation to the City government is too low, at present, to continue operation of the sludge incinerator at full capacity after January 1, 1974. If we cannot operate the incinerator and must lagoon the sludge, the first casualty of the local energy crisis will occur soon at the Sanitation Plant. We will seek additional fuel oil or other suitable fuel to maintain the progress our city has enjoyed in emptying the lagoons and creating substantial environmental progress in solid and liquid waste disposal, but the fuel allocation is not present to insure sludge incineration for the near future.

Several major industries of our city have pledged to do as much as City government to effect significant energy conservation now. As a common sense matter, industrial and business conservation is good business in terms of lowering costs and enhancing the best possibilities for continued profitable operation of plants.

Business and government must approach each conservation measure with considerable prudence if we are to remain employed and healthy. For example, a case has been made by the trucking industry and by local Teamsters that speeds higher than 50 m.p.h. will be needed by trucks which deliver goods in a timely manner and provide necessary warehousing for much of the production line material which keeps our plants open and operating each day. While we are trying to save energy, and thus save jobs, we must not create unemployment inadvertently by adopting measures which disrupt jobs and production. As I read the daily mail coming into my office, I am fearful that some citizens are proposing specific energy conservation for some other citizens that might create hardship for all of us and not much saving of energy. At the same time, we must publish sound information on energy saving actions which are effective and easily adopted by each family.

I am deeply impressed with the leadership of young citizens in carrying forward conservation methods learned in our schools to homes and community centers. Their action has been timely and inspiring.

My office will be in constant communication with school, labor, and business leaders to obtain their advice and counsel on how best to save energy and to increase general welfare with the least inconvenience. I have been pledged the full cooperation of leaders in all sectors of public and economic life of this city. I pledge the full support of our leadership to Governor Bowen and President Nixon as they co-ordinate state and national programs.

If we are able to show measurable savings as a community, we are going to make a good case against passing out the coupon books and installing the bureaucracy of fuel oil or gasoline rationing.

I am alarmed that 40 members of the United States Senate on November 15 attempted to mandate that President Nixon start rationing on January 15. Their amendment was defeated by only 48-40.

In any society, some citizens seem to take delight in trying to control the lives of others, and some folks while arguing patriotism and national emergency are seemingly eager to start the rationing process.

If the people in Indianapolis and for that matter in the rest of this country want to delude themselves into believing that we have no shortage of petroleum, and as a result, continue to use it up with no visible conservation, we will have severe shortages and then emergencies and will then have only the choices of rationing or running off the cliff with reckless abandon.

At present, our choice is much more noble and much more sensible. We can prove voluntarily that this country can move quickly and decisively to counter international economic blackmail and to overcome an abundance of past mistakes in planning forecasts and appropriate governmental action or inaction. We can indicate that Americans are not fattened by abundance to such an extent that we lack the toughness to discipline our own appetites for energy and to set up better conservation practices to meet future contingencies.

The energy conservation program of this winter is not the last time that we will need to act with concern for scarce resources in this country and this world. As we have witnessed widespread famine in Africa this year and the dwindling of world wide food supplies, we know that even greater perils than a crisis of energy face many countries. We are the last breadbasket of the world, uniquely self-sufficient in food supplies. Our food production is now our major strength in foreign policy and trade.

The focus on energy will lead to a stronger United States because we will adopt President Nixon's goal of energy independence and make appropriate substitutions during this decade which will enhance air and water quality. Coal, nuclear energy, hydrogen will all receive our attention, and we will achieve break throughs in years to come that can make this country self-sufficient.

For the moment, however, the long-range objectives will not warm any homes nor will indiscriminate condemnation of oil companies, environmentalists, our enemies, our allies, or wishful thinking about the weather help one bit.

Please turn the thermostat down. Please save gasoline by using common sense in determining speed, maintenance, and usage for your automobile.

Save electricity. Save natural gas. Save jobs, and schools, and public health and safety. Energy equals jobs. If we remember that equation, we are going to provide the leadership in Indianapolis that this country expects. Hoosiers have a high regard for common sense and healthy progress. We have an equally healthy dislike of waste and of governmental control when a strong volunteer effort can get the job done.

We are free men, free to waste and complain, but also free to save energy, save our jobs, and save the strength of our country.

My message tonight is simply that the time for waste and complaint is over. The time for saving and for consideration of others has come. With calmness and confidence, let us get on with it.

Thank you and good night.

EACH HAS A ROLE

We applaud the serious yet calm tone of Mayor Richard G. Lugar's television speech to the community on the energy crisis. It was

a call for the co-operation of every citizen in conserving fuels, and for prudence in doing so.

He laid needed emphasis on the point that the wrong kinds of conservation measures could disrupt the economy. Much of the necessary savings can be accomplished at no greater cost than a relatively small degree of personal comfort and convenience. Thoughtful selectivity can minimize the kinds of cutbacks that would result in production, transport and commercial losses, which translate into reduced individual earnings and loss of jobs.

As he said, each conservation measure to be taken by both business and governmental agencies must be approached with prudence. "We must not create unemployment inadvertently," he said, "by adopting measures which disrupt jobs and production."

There was also a welcome expression of opposition to government controls and of confidence that the problem can be met with voluntary action. He promised the city would take a leadership role by making substantial savings in its own energy consumption while maintaining essential services.

He summed up the situation well in a single sentence: "The time for saving and for consideration of others has come."

MISS LAWRA KASSEE BULEN ANNOUNCES CANDIDACY FOR PRESIDENT IN 2012

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES
Friday, November 30, 1973

Mr. BRAY. Mr. Speaker, on Friday, November 16, 1973, Lawra Kassee, the first child of L. Keith and Carole Buleen—Mr. Buleen is Indiana Republican national committeeman—was born.

Her father is getting her started early. Following is the most imaginative birth announcement I have ever read. Why not?

The notice follows:

DECLARATION OF CANDIDACY FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES IN THE YEAR 2012

[Seal of the President of the United States.] I, Lawra Kassee Buleen, do hereby declare my intent to seek the above office in the year indicated.

I swear and affirm that I am a native born U.S. citizen born Friday, November 16, 1973 at the hour of 12:42 a.m.

Further that I will be over thirty-five (35) years of age before such election and assumption of office.

That I weighed Seven pounds Fifteen ounces at birth and was Twenty-One inches long and am a resident of Marion County, State of Indiana, residing presently at 700 North Alabama Street, Indianapolis, Indiana 46204 with my proud parents Carole and Keith Buleen.

Whereas: I have set my foot the 16th day of November, 1973.

[Seal of Indiana.]

SLEEP GENTLY, DEAR SOLDIER

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES
Friday, November 30, 1973

Mr. GUDE. Mr. Speaker, we recently marked Veterans Day, a day of great

pride for many of us, as well as a day of sadness.

Both feelings were evident at the ceremonies in which I participated at the Bethesda-Chevy Chase War Memorial. Dr. Melville A. Taff, Jr., president of the Lewis B. Hershey Sertoma Club of Bethesda-Chevy Chase, was the master of ceremonies.

Mrs. William H. Dowling, of 5713 Huntington Parkway, Bethesda, expressed many of our feelings in a touching poem which she wrote. I would like to share it with you:

SLEEP GENTLY, DEAR SOLDIER

(By Louise L. Dowling)

Sleep gently, dear soldier
The battle has been won
May you find the peace you fought for
In the calm of setting sun
May the moon and stars and winds and rain
A silent vigil keep
And in the hush of twilight, may you rest
In peaceful sleep.

The roar of guns and cannon
Have been silenced, thanks to you
A hush has fallen o'er the earth
As you sleep beneath the dew
And while we struggle still, for peace
Dear soldier, do you know
Old Glory soars because of you
And we thank you for it so.

Now you are safe with Him, above
A hero, gallant, true
So lay your head upon His breast
And rest—dear soldier—do.

LYNN ROSELLINI: AN OUTSTANDING JOURNALIST

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Friday, November 30, 1973

Mr. WOLFF. Mr. Speaker, today, November 30, a highly talented young journalist will be honored for her dedication and devotion to the art of reporting the news "like it is." She is Ms. Lynn Rosellini of Newsday who will receive the 1973 Front Page Award of the New York Newswomen's Club for outstanding journalistic achievement at the club's annual award ceremony to be held in the Hotel Biltmore, New York City.

Ms. Rosellini is being cited for the best news story of the year written by a metropolitan-based woman journalist. The topic of her prize-winning article, which appeared in Newsday on May 22, 1973, was the arraignment of former Attorney General John Mitchell and former Secretary of Commerce Maurice Stans—a story that, by necessity, was written under the pressure of deadline.

Mr. Speaker, it is my distinct privilege to commend Ms. Rosellini to you and to my colleagues as a reporter of exemplary merit whose editorial ability justly deserves our praise and recognition.